

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA, : Criminal Action No.:  
versus : 1:22-cr-92  
ALLISON ELIZABETH : Tuesday, November 1, 2022  
FLUKE-EKREN, :  
Defendant. :

The above-entitled sentencing was heard before the Honorable Leonie M. Brinkema, United States District Judge. This proceeding commenced at 11:02 a.m.

## A P P E A R A N C E S:

FOR THE GOVERNMENT: RAJ PAREKH, ESQUIRE  
JOHN GIBBS, ESQUIRE  
OFFICE OF THE UNITED STATES ATTORNEY  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
(703) 299-3700

FOR THE DEFENDANT: JOSEPH KING, ESQUIRE  
SEAN SHERLOCK, ESQUIRE  
KING, CAMPBELL, PORTEZ & MITCHELL  
108 North Alfred Street  
Alexandria, Virginia 22314  
(703) 683-7070

COURT REPORTER: STEPHANIE M. AUSTIN, RPR, CRR  
Official Court Reporter  
United States District Court  
401 Courthouse Square  
Alexandria, Virginia 22314  
(571) 298-1649  
S.AustinReporting@gmail.com

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## PROCEEDINGS

2 THE DEPUTY CLERK: Criminal Number 2022-92, United  
3 States of America versus Allison Elizabeth Fluke-Ekren.

4 Counsel, please note your appearances for the  
5 record.

6 MR. PAREKH: Good morning, Your Honor. Raj Parekh  
7 on behalf of the United States. I'm joined with -- at  
8 counsel's table with John Gibbs, as well as paralegal  
9 specialist, Larissa Illardi. And, for your awareness, we  
10 also have Gabriel Fluke, who should be in the courtroom, as  
11 well as Leyla Eken, who will be delivering a victim impact  
12 statement later on in the hearing.

13 THE COURT: All right. Good morning.

14 MR. KING: Good morning, Your Honor. Joseph King  
15 and Sean Sherlock on behalf of Allison Fluke-Ekren.

16 THE COURT: All right. Counsel, have you had  
17 enough time to go over the presentence report yourselves and  
18 with your client?

19 MR. KING: Yes, Your Honor.

THE COURT: All right. Counsel -- Mr. King, you  
need to stay at the lectern.

22 Are there any factual corrections, changes,  
23 additions or deletions you want made to the report itself?

24 MR. KING: Your Honor, we've set forth our  
25 objections to the PSR writer and in our position on

1 sentencing. It's our position -- well, at the outset, I  
2 wanted to note that the defendant has no concerns at all  
3 having to deal with these new child abuse allegations. If  
4 she had the time and the resources to fully investigate  
5 them, I believe it would be fully rebutted.

6 It's also the defendant's position that some of  
7 these allegations are so inherently incredible and come so  
8 late in the game, including, for instance, the defendant's  
9 daughter claiming that she was on the front lines when she  
10 was 12 in a small village in Syria fighting for ISIS, that  
11 they're just inherently incredible, and they don't have an  
12 indicia of reliability, that they should be fully stricken  
13 from the report.

14 And I just wanted to mention, in the defendant's  
15 view as a mother and a teacher, the allegations coming five  
16 years into the Government's investigation, to her, makes  
17 what happened in Syria -- because they're so serious -- less  
18 serious than her conduct -- than the conduct with regard to  
19 this abuse that she really has no chance to defend against.

20 She acknowledged in this statement of facts, which  
21 from my -- which, to a great extent, relies upon the  
22 statements of her own daughter, that these were all true  
23 because they had a basis in fact.

24 It's her position that these do not have a basis  
25 in fact. There's so many statements that are inherently

1 incredible in here. Claiming that she named her son Osama  
2 after Osama Bin Laden, when she had had no contact with her  
3 daughter for approximately two years. That's just  
4 incredible. And it's -- and some of the allegations that  
5 her son makes are just so -- without basis of facts, so  
6 incredible that they should be stricken from the report.

7 I understand that the Government is going to move  
8 to have the victim impact statements unsealed and available  
9 to the public. There's an objection to that as well.

10 Those are victim impact statements that are part  
11 of an under-seal document. I don't believe there's any -- I  
12 don't know if there's any authority to have victim impact  
13 statements unsealed, but these are a part of the PSR, which  
14 is supposed to be private, that now the Government wants to  
15 be made public. There's an objection to that, too.

16 THE COURT: Well, that's a unique argument that  
17 you've made. But, frequently, we have victims who send the  
18 letters directly to the Court sometimes and I send them over  
19 to probation just so they can attach them to the presentence  
20 report so that counsel can see them.

21 But I'm not aware of any authority -- I agree with  
22 you that the presentence report itself is confidential. But  
23 attachments to it originating from third parties, I don't  
24 think there's any authority that requires that they be kept  
25 under seal. The simple fact that they were attached to the

1 presentence report does not, in my view, automatically make  
2 them subject to seal. So that objection I would overrule.

3                 The reality is -- and I warned everybody ahead of  
4 time when this issue about the child abuse matters came to  
5 our attention -- this defendant pled guilty to an offense  
6 involving conspiracy to provide material support to a  
7 foreign terrorist organization. That's to which she pled  
8 guilty, and that's for which she will be sentenced.

9                 However, it is appropriate in a presentence report for the  
10 officer to give, among other things to the Bureau of  
11 Prisons, a full picture of the person who they're going to  
12 have in custody for a significant amount of time.

13                 They use that information for, among other things,  
14 determining the level at which the person should be  
15 confined. Also, they can sometimes use that information to  
16 determine who are appropriate visitors to meet with that  
17 person.

18                 And I've looked carefully at all of your  
19 objections, and I'm going to overrule all of them. I think  
20 that although they are certainly, I can understand,  
21 problematic for your client, I don't think they're unduly  
22 prejudicial, and they do not affect the Court's decision in  
23 terms of the appropriate sentence.

24                 So --

25                 MR. KING: All right.

1                   THE COURT: -- you've made them for the record;  
2 I'm overruling the objection; all right?

3                   MR. KING: Thank you, Your Honor.

4                   THE COURT: Having done that, that means that the  
5 offense level here is a level 41. The defendant has a  
6 criminal history of six because she received a terrorism  
7 enhancement. The guideline range that results from those  
8 two numbers would be 360 months to life imprisonment;  
9 however, because of the plea agreement in this case, your  
10 client's maximum exposure is limited to 240 months of  
11 incarceration.

12                  In terms of the period of supervised release, it's  
13 two years to life is the range. The fine is \$250,000 and  
14 the \$100 special assessment. Those are the guidelines that  
15 will be applied to this case.

16                  MR. KING: Thank you, Your Honor.

17                  THE COURT: All right. All right. Mr. Parekh,  
18 then I'll let the United States allocute.

19                  MR. PAREKH: Yes, Your Honor. Before I do so, the  
20 two letters that were attached to the PSR were also attached  
21 to the Government's CVRA motion. They were under seal at  
22 the time because we wanted to ensure that Mr. Gabriel Fluke  
23 and Ms. Leyla Ekren had time to consider whether they wished  
24 to appear at sentencing and whether they wished to have  
25 their names publicly revealed. They have repeatedly

1 confirmed to me that they do. And they do want their  
2 letters to be out there, because this is very difficult for  
3 them, of course, this is their own mother. They would much  
4 rather not be here and much rather not be in this position  
5 of describing these painful experiences that happened to  
6 them.

7           But they took the time to write to the Court, as  
8 the Court graciously suggested during the plea hearing. And  
9 I have redacted copies of both of their letters, which were  
10 attached to, I believe Docket Number 48 was the under-seal  
11 version; Docket Number 47 was the publicly-filed version.  
12 We redacted the names of any third parties that the  
13 defendant did not bring up in her sentencing memorandum.

14           So we want to be responsible about this and not  
15 just release them in full because they do have names of  
16 third parties. But, for the most part, they are unredacted.  
17 And I can pass up those copies. I've provided copies to  
18 counsel for the defendant.

19           THE COURT: All right.

20           MR. PAREKH: Thank you.

21           MR. KING: Your Honor, we would just note our  
22 continuing objection to those being unsealed. We understand  
23 the Court's --

24           THE COURT: I'm overruling the objection.

25           So I will leave it up to the -- do you want these

1 placed on the Court docket then?

2 MR. PAREKH: Yes, Your Honor.

3 THE COURT: All right. They'll be -- we'll  
4 substitute them, I guess, for the sealed attachments to your  
5 memorandum.

6 MR. PAREKH: So, Mr. Gabriel Fluke's letter was  
7 attached as Exhibit 1. Ms. Leyla Ekren's letter was  
8 attached as Exhibit 2. But the report attached as Exhibit 3  
9 we would ask remain under seal until further order of the  
10 Court. That's the 302 that was submitted.

11 THE COURT: We're not going to publish 302s.

12 MR. PAREKH: Thank you, Your Honor.

13 THE COURT: All right.

14 MR. PAREKH: And just procedurally, Your Honor, I  
15 understand that the defense objects to the Government  
16 playing very short audio clips during its sentencing  
17 presentation today. I planned to save these near the end of  
18 my sentencing argument. But that is something that we would  
19 like to do. They consented to us bringing the trial laptop  
20 here, which we appreciated. And of course there would be no  
21 reason to have the trial laptop here if we weren't going to  
22 play the audio clips.

23 I think it's important because I can help explain  
24 and contextualize the defendant's statements. I know Your  
25 Honor has probably heard them in chambers, but it is

1 relevant to the 3553(a) sentencing factors. And while we  
2 have a large volume of recordings of the defendant  
3 containing inculpatory statements, we've limited our  
4 presentation today to three. And the third recording, I'm  
5 only going to play the last approximately four and a half  
6 minutes. So it shouldn't be more than about six minutes of  
7 audio recordings.

8 THE COURT: Mr. King, we heard those in chambers.  
9 I assume you've also listened to them.

10 MR. KING: Yes, I have, Your Honor.

11 THE COURT: Go ahead.

12 MR. KING: It's our position the Court has already  
13 heard these, we've heard them, certainly the U.S. attorney  
14 knows exactly what the content is. They don't have to be  
15 played again in court.

16 THE COURT: Well, the point is, it's a public  
17 sentencing, and so the public has a right to understand the  
18 evidence that is relevant to the sentencing decision. So  
19 I'm going to overrule the objection. They may be played.

20 MR. KING: Thank you, Your Honor.

21 MR. PAREKH: Thank you, Your Honor.

22 As Your Honor knows from our sentencing  
23 memorandum, the United States respectfully requests that you  
24 impose a statutory maximum sentence of 20 years  
25 imprisonment. But if the law is applied to the offense of

1 conviction and the facts in this case permitted it, we would  
2 have asked the Court to sentence Fluke-Ekren to a lifetime  
3 in prison. 20 years in prison is insufficient to fully  
4 account for her monstrous acts of terror, but it is the  
5 statutory maximum penalty in this case, and based on all the  
6 sentencing factors, the appropriate and just sentence that  
7 this Court should impose.

8 Understanding that the Court is fully immersed in  
9 the facts in this case, I will focus my sentencing  
10 presentation on what we believe to be the most important  
11 reasons why the Court should impose this statutory maximum  
12 sentence under the 3553(a) sentencing factors.

13 Going to the nature and seriousness of the  
14 offense -- and also during my presentation, I plan to rebut  
15 the fabricated claims and justifications asserted by the  
16 defendant in her sentencing memorandum.

17 Going to the nature and seriousness of the  
18 offense. The seriousness of the offense is set forth in  
19 detail, as Your Honor knows, throughout the statement of  
20 facts and other court documents which tell the story of how  
21 this United States citizen left a trail of betrayal and  
22 ascended the ranks of the Islamic State, and, in effect,  
23 became the empress of ISIS, given the unprecedented autonomy  
24 she was given as the leader of an all-female ISIS battalion.

25 In doing so, the defendant brainwashed young girls

1 and trained them to kill. As Your Honor knows, she trained  
2 over 100 women and young girls in Syria -- some as young as  
3 ten years old -- on the use of AK-47 rifles, grenades and  
4 suicide belts packed with explosives during the terrorist  
5 organization's murderous crusade. One of those young girls  
6 is in this courtroom today, that's Ms. Leyla Ekren, and she  
7 will be addressing the Court later on during the hearing.

8           But where did the defendant's journey begin?

9 Well, she left the United States, Your Honor, and it was her  
10 decision to move her children overseas. In fact, initially,  
11 her second husband had not yet moved overseas. She obtained  
12 a job in Egypt and moved her entire family there knowing  
13 that her husband did not have a job. So she was the driving  
14 force in terms of the family going overseas, and she was the  
15 driving force in terms of the family staying overseas.

16           And as Your Honor knows, she was involved in one  
17 of the most horrific terrorist attacks ever committed  
18 against the United States, the aftermath of that attack that  
19 is, and that is the September 11th, 2012 terrorist attack on  
20 the U.S. Special Mission and CIA Annex in Benghazi, Libya,  
21 during which four Americans were killed.

22           As the statement of facts indicates, she assisted  
23 with reviewing and summarizing the contents of stolen U.S.  
24 documents, which were ultimately provided to the leadership  
25 of Ansar Al-Sharia in Benghazi. As Your Honor probably

1 knows, that is the terrorist organization that claimed  
2 responsibility for the Benghazi attacks.

3                   And during discovery, Your Honor, I provided  
4 emails that the defendant sent to her family members after  
5 the attack. She indicated that the attack had occurred and  
6 told them not to worry. Didn't mention anything about her  
7 involvement in the aftermath of the attack. And she had  
8 copied and pasted that email multiple times to other family  
9 members. And throughout her time -- including up until when  
10 she was arrested and brought to the Eastern District of  
11 Virginia -- she continued to deny any involvement in the  
12 aftermath of the attack.

13                  But, as Your Honor knows, she's now admitted that,  
14 yes, in fact, she did help translate those documents, and  
15 she was an eyewitness to that attack. She was living in  
16 Benghazi at the time, and shortly after the attack, her  
17 second husband claimed to have brought those documents home  
18 where she assisted him.

19                  But her terrorist crusade did not end there. As  
20 Your Honor knows, when she was in Syria, she described to  
21 her own daughter, with specificity, her desire to conduct a  
22 widespread terrorist attack in the United States.

23                  And Your Honor probably saw that the defense is  
24 now claiming that these were just statements made in the  
25 heat of the moment; that she had no desire to conduct such

1 attacks, and this was just heated rhetoric.

2 Well, Your Honor, the statement of facts is very  
3 clear that this was quite detailed, what she's describing to  
4 her daughter. She says that she would go to a shopping mall  
5 in the United States, park a vehicle full of explosives in  
6 the basement or parking garage level of the structure, and  
7 detonate the explosives in the vehicle with a  
8 cell-phone-triggering device.

9 This isn't a statement just made in the heat of  
10 the moment where defendant is saying, oh, it's terrible that  
11 these people died in Syria; I wish something would happen to  
12 the United States. She's describing with meticulous  
13 clarity. And this level of premeditation, this level of  
14 calculated desire to conduct an attack is something that --  
15 quite frankly, it's not credible to believe that this comes  
16 out of the mouth of someone who did not want to commit such  
17 an attack.

18 The fact that she's describing it to her own  
19 daughter is even more depraved. Because her daughter at the  
20 time was extremely young. She was in Syria when she was 10,  
21 11, 12 years old, all the way up until she was 15. She was  
22 a minor. She's depending on her mother to teach her right  
23 from wrong. But, instead, she's describing to her own  
24 daughter how she could commit this terrorist attack and  
25 stating that any attack that did not kill a large number of

1 individuals would be a waste of resources, and that she  
2 wished that attacks that took place outside of the United  
3 States had occurred on United States soil instead.

4           But it gets worse, Your Honor. As Your Honor  
5 knows from the presentence investigation report, we  
6 interviewed a former ISIS member who was a woman from  
7 Central America, and she was sent by ISIS officials to the  
8 location where the defendant was residing in Syria in 2014.  
9 I even opened up this interview to the U.S. probation  
10 officer, so that way she could see her, assess her  
11 credibility, and ask her any questions she so wished. And  
12 this is an individual who, when she met the defendant, the  
13 defendant approached her, became friends with her and stated  
14 that she wanted to recruit her to conduct an attack on a  
15 specific college in the Midwest using explosives.

16           And I think it's very important, Your Honor, that  
17 we talk about the details, because the statement of facts  
18 indicates, in paragraphs 7 and 8, that she discussed ideas  
19 for an attack involving the use of explosives on the campus  
20 of a U.S.-based college in the Midwest. Again, it's very  
21 specific. She's using explosives. That's something that  
22 she stated to her daughter. Now she's stating it to a third  
23 party, another ISIS member. She's using explosives later  
24 on, as Your Honor knows, to train women and young girls to  
25 fight for ISIS. And it's a very specific type of way that

1 she wanted to do this.

2 So, as they say, the devil is in the details.

3 What did she tell us? She said that Umm Mohammed, the  
4 defendant -- she's admitted that that's her kunya, or her  
5 alias -- indicated that they would dress up as non-believers  
6 and drop off a backpack on campus filled with explosives,  
7 and that she knew where in the university to place the bag  
8 as to cause the most casualties.

9 And she indicated that Abu Mohammad al-Adnani, the  
10 former official spokesperson for ISIS, said: "Blood for  
11 blood." And she realized that this particular ISIS female,  
12 because of her passport from a certain country in Central  
13 America, that she could be much value to her. And so she  
14 said that she had contacts that can get them across a U.S.  
15 border through Mexico, and it would help them travel into  
16 the United States to commit this attack.

17 Now, fortunately, this former ISIS member said,  
18 I'm not doing this. You know, even for her, this was too  
19 extreme, and she declined to participate in any such attack.

20 But during that same interview that I participated  
21 in with the probation officer, this ISIS female said, about  
22 this defendant, that she had the mind of a terrorist,  
23 supported beheadings conducted by ISIS, and stated: "People  
24 like Umm Mohammed are bad for humanity and society. These  
25 people should not get out," referring to not getting out of

1 prison.

2 This witness also saw the defendant's son at the  
3 residence because she spent approximately 18 days with the  
4 defendant. And this is also very critical to rebutting  
5 their claims, because I believe they're going to present  
6 photographs of kids and talk about how she has all these,  
7 you know, kids to take care of, and that's why you should  
8 impose less than the maximum sentence. Well, what was she  
9 doing when the Court did not have her under her custody and  
10 she wasn't here in the United States when she was out in  
11 Syria committing terrorist crimes?

12 This woman said, I saw her son, who was  
13 approximately 11 years old at the time, carrying an AK-47  
14 rifle. We then interviewed an entirely separate witness.  
15 This was a witness that I'll not reveal their name because  
16 they testified in the grand jury. But this witness stated  
17 to us during interviews that when she went to the  
18 defendant's home in Syria in 2014, her other son, who was  
19 approximately five or six years old at the time, was holding  
20 a machine gun at her residence, and he stated, when  
21 Ms. Fluke-Ekren said something to him that, "I don't want to  
22 be like the kuffar."

23 This is all relevant, Your Honor, because you  
24 know, as Your Honor knows from the statement of facts, she's  
25 training over these 100 women and young girls to use these

1 firearms and explosives, but it doesn't end at this  
2 all-female battalion, and it certainly didn't start there.  
3 Even her own children, including younger males, she had them  
4 armed with weapons when these witnesses were going to her  
5 home.

6 I then talked to an entirely separate witness,  
7 another minor who was trained by the defendant, and she's  
8 listed in the statement of facts. And she indicated that  
9 when she would go out in Syria, she saw that Umm Mohammed --  
10 referring to the defendant -- had approximately a  
11 ten-year-old son, and he was always armed with an AK-47  
12 outside the home, that he was a member of the Cubs of the  
13 Caliphate organization, and that at one point she saw him  
14 alone purchasing a watch from a vendor in Syria while he was  
15 armed with an AK-47 slung over his shoulder. These are not  
16 the acts of a responsible mother, Your Honor.

17 In Iraq, as Your Honor knows, she assisted ISIS  
18 personnel who were in charge of homes for widowed women  
19 whose husbands died while fighting for ISIS, and ultimately  
20 she became the leader of this ISIS military battalion called  
21 the Khatiba Nusaybah.

22 Now, Your Honor may hear argument from the defense  
23 about the fact that this venture initially started as a way  
24 for girls to get training on other matters, you know,  
25 cooking or martial arts or taking care of their babies,

1 other seemingly innocuous activities. But Leyla Ekren  
2 described why the defendant would do that. And she said in  
3 her letter that: "Step 1 was to have the defendant join a  
4 terrorist group, such as Ansar Al-Sharia, Jabhat al-Nusra  
5 and ISIS and ask for military funding. If they denied her,  
6 then she would move on to Step 2, disguising her malicious  
7 intents as good deeds, such as wanting to start a school  
8 and/or teach people self-defense. And then once Allison got  
9 her claws sunken into people, she would then start to  
10 pervert her once innocent intentions and introduce  
11 ideologies like the only way to self-defense is to attack  
12 first. Allison's teachings included ideas of suicide  
13 bombing yourself so that you don't get raped in the name of  
14 self-defense. This narrative especially worked on  
15 vulnerable, naive little girls. And Allison specifically  
16 wanted to train little girls because she could groom them  
17 into having a fear that she could use to control them, just  
18 like she did to me."

19 Your Honor, what's unique about this case is that,  
20 unlike many of the national security cases that you see  
21 around the country and in this court, we're relying on  
22 actual eyewitness testimony in this case. A lot of the  
23 cases that Your Honor has seen and around the country,  
24 they're relying on FBI undercovers, or information posted on  
25 social media, or other forms of evidence. But, in this

1 case, Your Honor, you should have no doubt about what this  
2 defendant was up to, because these were actual eyewitnesses,  
3 including her own daughter who observed the defendant's  
4 terrorist crime spree.

5 But there is additional corroborating evidence,  
6 Your Honor, and I turned this over in discovery. In 2019,  
7 coalition forces found a number of ISIS documents in Syria,  
8 and a number of those documents related to this Khatiba.

9 And, Your Honor, if I can use the document  
10 scanner, I can put this up on the screen so Your Honor can  
11 see it.

12 THE COURT: All right. Defense counsel has a  
13 copy?

14 MR. PAREKH: Yes, they have a copy, Your Honor.

15 THE COURT: All right. Go ahead.

16 MR. PAREKH: Your Honor, I'm first putting up  
17 the -- this is the original document that I'm putting up,  
18 and I'm going to put up the English translation, all of  
19 which were previously turned over to defense counsel. It  
20 bears all the hallmarks of an official ISIS document, it's  
21 got the ISIS stamp. And the translation of this document --

22 THE COURT: Mr. Parekh, you need to stay at the  
23 microphone.

24 MR. PAREKH: Yes, Your Honor.

25 THE COURT: Have your assistant help you with

1 that.

2 MR. PAREKH: Yes, Your Honor.

3 The translation of this document is now up on the  
4 screen. And you'll notice that at the bottom it says:  
5 Islamic State, Wilayah of Ar Raqqah, Office of the Wali.  
6 And, of course, the Wali is listed in the statement of  
7 facts. That's why I'm showing this to you, Your Honor. The  
8 Wali is listed in paragraph 15 of the statement of facts.  
9 It says: "Fluke-Ekren informed a witness -- Witness 4 --  
10 among others, that she obtained authorization from the  
11 Wali -- who is the ISIS-appointed mayor or governor of  
12 Raqqa -- in order to establish a women's center."

13 And let there be no doubt who the leader was of  
14 this center. She's admitted to it, but this is actual  
15 battlefield evidence indicating from ISIS that the women's  
16 office belongs to Umm Mohammed al-Amriki. And of course  
17 that is one of the kunyas listed on the defendant's  
18 statement of facts.

19 The second document, Your Honor -- I've put up the  
20 original document, a copy of it, on the screen. It's in  
21 Arabic. Again, it's got the ISIS stamp on it and bears all  
22 the hallmarks of an ISIS document. It was recovered on the  
23 battlefield in Syria by coalition forces. I'll now put up  
24 the English translation, which, again, was previously turned  
25 over to defense counsel before the defendant entered her

1 guilty plea.

2                   And the reason I'm putting this up, Your Honor,  
3 is -- again, let there be no doubt about what the purpose of  
4 this battalion was. It wasn't for self-defense, and Your  
5 Honor can see that. I'll read it into the record. This  
6 page states -- and, again, it's a memorandum signed by the  
7 Wali of Ar Raqqah. And it states and underlined that  
8 another individual, who was part of the battalion: "Umm  
9 Ahmad al-Afriqi states that she wants to be the first to  
10 carry out a suicide operation."

11                  There is nothing self-defense-related about  
12 carrying out a suicide operation. The defendant is listed  
13 in this particular document, it's indicated that she is  
14 ready to help to teach the sisters how to drive. And as  
15 Your Honor knows from the statement of facts, the defendant  
16 admitted, on paragraph 19, that witnesses with firsthand  
17 knowledge stated that the Khatiba Nusaybah also provided  
18 certain members with instruction on physical training,  
19 medical training, Vehicle-Borne Improvised Explosive Devices  
20 Driving courses, among other training, and that some of this  
21 training was directly provided by Fluke-Ekren.

22                  This is a document recovered from the battlefield,  
23 in addition to eyewitness testimony. And I just want to  
24 emphasize how important it is to not let the narrative be  
25 that she somehow was providing this training or organizing

1 this battalion for self-defense purposes.

2 THE COURT: All right. Now, for the record, the  
3 first exhibit is Exhibit 1 to this sentencing proceeding.  
4 This document will be admitted as Exhibit 2 to this  
5 sentencing proceeding.

6 You'll need to make sure you've handed up copies  
7 of the English translation, along with the Arabic. We'll  
8 keep that as one exhibit, and then the second one the same  
9 way. So these are each a two-page exhibit.

10 (Government Exhibit Numbers 1 and 2 admitted into evidence.)

11 MR. PAREKH: Yes, Your Honor. And I have a copy  
12 for the Court right now, which I'm providing to the CSO.

13 And, again, I won't indicate the names of these  
14 witnesses to preserve their confidentiality, Your Honor, but  
15 much of the defense's argument in their sentencing  
16 memorandum talks about her justification or excuses for  
17 providing this training. And what I'm about to read to Your  
18 Honor are excerpts from sworn testimony that was turned over  
19 to the defense, and these are from witnesses listed in the  
20 statement of facts.

21 Witness 6 in the statement of facts was  
22 approximately 11 or 12 years old when she was first  
23 militarily trained by Fluke-Ekren in Syria in approximately  
24 2015. This is not the defendant's daughter. And so this  
25 is -- these are more minors who I personally met who

1 testified under oath in the grand jury.

2           And it's important for Your Honor to hear this,  
3 because, as Your Honor knows during the plea hearing,  
4 Ms. Fluke-Ekren stated that we didn't intentionally train  
5 any minors, any young girls in Syria.

6           That, Your Honor, was one of the most egregious  
7 statements someone can make in a case like this, when the  
8 actual gravamen of her conduct is doing exactly that. And  
9 for her to say this in this court, in front of Your Honor,  
10 illustrates that she's not capable of being rehabilitated,  
11 and that until she's confronted with unimpeachable evidence,  
12 she won't agree to her conduct, notwithstanding overwhelming  
13 amounts of evidence that back it up.

14           So Witness 6 was 11 or 12 years old when she was  
15 first militarily trained by Fluke-Ekren in Syria in 2015.  
16 Fluke-Ekren sought and received permission from this minor's  
17 mother to train her on behalf of ISIS, along with other  
18 girls who were minors at the time. She taught her to use  
19 this suicide belt against enemies of ISIS. This witness  
20 stated, under oath, that Fluke-Ekren endorsed killing the  
21 kuffar, or non-believers, meaning people who aren't ISIS  
22 members. She knew her as Umm Mohammed al-Amriki. And this  
23 particular witness, her dad died while committing a suicide  
24 car bomb attack on behalf of ISIS. Again, this is a totally  
25 separate witness. I'm not referring to the defendant's

1 daughter here. And Fluke-Ekren consoled and comforted her  
2 after that suicide car bomb attack, told her that her dad  
3 was martyred and that he would be a green bird in paradise.

4                   And we've had this type of testimony in this court  
5 before, Your Honor. I've had trials where this is  
6 explained. And the witness explained it in her testimony  
7 that in ISIS, martyrs that die for the cause, they're seen  
8 as their souls are being carried by green birds into  
9 paradise.

10                  She took courses from Fluke-Ekren with her  
11 approximately ten-year-old sister. "Courses," meaning the  
12 training courses, military training courses. And when the  
13 minor girls were hesitant, she testified under oath that  
14 Fluke-Ekren would give them pep talks to motivate them. She  
15 would sit next to them and whisper in their ears: You've  
16 got to do this.

17                  Training was important to Fluke-Ekren to protect  
18 the land belonging to the Islamic State, and important to  
19 die as martyrs in Syria and kill the kuffar. She told this  
20 witness, as Your Honor knows from the statement of facts,  
21 that she never wanted to return to the United States and  
22 wanted to die in Syria as a martyr. That is, I believe, a  
23 verbatim quote from the statement of facts. And that's  
24 where we got it from; it's from the sworn testimony.

25                  I asked her, did Allison Fluke-Ekren ever

1 criticize ISIS's goals to expand their land, kill the kuffar  
2 or use violence to advance their murderous aims. And she  
3 said that Umm Mohammed never did so. She never criticized  
4 killings that ISIS would commit in furtherance of the  
5 Islamic State. And she would chant: The Islamic State will  
6 remain, including on the way to where she would take the  
7 girls shooting.

8 This is even equally as sad, Your Honor. She told  
9 these girls that she had a son who was in the United  
10 States -- and we believe she was referring to Gabriel Fluke,  
11 who's in the courtroom -- that if she had to pick who to  
12 save, she would save the girls she was training with, and  
13 that she was ashamed of him because he left overseas. And,  
14 as Your Honor knows from his September 19th, 2022 letter, he  
15 did leave Egypt, and he went back home, because he couldn't  
16 take it anymore, given all of the things that he's indicated  
17 she did to him.

18 And these are girls, Your Honor, that have never  
19 met the defendant's son in the United States. And they're  
20 recounting these stories, which corroborates all of the  
21 other evidence -- relevant evidence about this that we've  
22 accumulated. Allison Fluke-Ekren would chant "Allahu Akbar"  
23 when she would hear about terrorist attacks that were  
24 committed in the United States or Europe.

25 And, again, going to the self-defense claim, Your

1 Honor, this is sworn testimony from one of these girls. She  
2 indicated that Umm Mohammed was happy when ISIS committed  
3 the November 2015 Paris attacks -- as Your Honor knows,  
4 that's one of the most heinous terrorist attacks committed  
5 by ISIS, where over 130 people were brutally killed --  
6 because she said she got her revenge for her Muslim brothers  
7 and sisters.

8                   And then she told this minor witness to not leave  
9 the Islamic State in 2018, to have patience, and that she  
10 would be rewarded for facing these difficulties with a  
11 better place in paradise. And when she said that, she was  
12 armed with an AK-47 and indicated that, through another  
13 family member, she had a message communicated to Leyla that  
14 she was dead, and she did that so the U.S. Government would  
15 not try to find her. And Your Honor knows that's in the  
16 statement of facts as well.

17                   Totally separate witness, Your Honor. Another  
18 minor girl that testified in the grand jury. She was young  
19 at the time, she interacted with Fluke-Ekren in Syria.  
20 She's listed as Witness 5 in the statement of facts. She  
21 said that Umm Mohammed -- referring to Fluke-Ekren -- was  
22 off the charts, and an 11 or a 12 on a scale of 1 to 10,  
23 with 10 being extremely radicalized.

24                   According to the same witness, she indicated that  
25 Fluke-Ekren would seek to motivate her trainees by

1 explaining how female fighters can ensure the Islamic State  
2 as kept alive by "helping ISIS expand and to remain" through  
3 the use of weapons, including the firearms and the explosive  
4 devices that I've already mentioned.

5 Another quote. She indicated that Umm Mohammed  
6 "would really motivate by saying how they have been so  
7 victorious, and that we can help them with this as women  
8 because women have not had a role in this in keeping the  
9 State alive." And, in that, she was referring to how  
10 victorious ISIS had been, and the fact that, until now,  
11 women had not had a role in the violence that was used to  
12 keep the Islamic State alive to keep their land. And she  
13 was using that to motivate her trainees.

14 So again, Your Honor, when you hear during the  
15 argument that this was about self-defense or that she didn't  
16 have these intentions, that can't be further from the truth.  
17 And these are witnesses that are -- have testified under  
18 oath and that are named in the statement of facts.

19 In effect, she became a warped visionary for ISIS,  
20 because at the time she was stating all this, ISIS had not  
21 yet put out its official publication -- which, again, is  
22 listed in the statement of facts -- the hundredth issue of  
23 al-Naba, which was distributed in 2017 in the fall where  
24 ISIS urged women to fight on the battlefield alongside men  
25 in order to defend the terrorist organization. And that's a

1 footnote in the statement of facts.

2           In effect, Your Honor, Fluke-Ekren's actions added  
3 a new dimension to the darkest side of humanity. And to  
4 paraphrase the late author L.M. Montgomery, the defendant  
5 attempted to turn these children's lives into graveyards  
6 full of buried hopes. And although the terror that  
7 Fluke-Ekren struck in their hearts continuously haunts them,  
8 she can no longer control them.

9           A number of the victims -- including the ones I've  
10 mentioned, as well as her two children in this courtroom --  
11 have regained their voice, along with their dignity and  
12 respect that they rightfully deserve by standing up to the  
13 defendant and helping us hold her accountable.

14           Now, just quickly going to the remaining factors,  
15 Your Honor, the history and characteristics of the  
16 defendant.

17           In her sentencing memorandum, she states that a  
18 full appreciation of Ms. Fluke-Ekren, her background and the  
19 factors that contributed to her coming before the Court is  
20 critical, and discussed her history and characteristics as  
21 told by her in an effort to "explain" her conduct for  
22 mitigation purposes.

23           Let me be clear, Your Honor. There's nothing in  
24 Fluke-Ekren's background that can explain her conduct, which  
25 was driven by fanaticism, power, manipulation, delusional

1 invincibility and extreme cruelty. There's just no  
2 justification conjurable by the human mind that can explain  
3 her terrorist crime spree.

4 She described in her sentencing memorandum her  
5 childhood as lonely, insulted the character of her parents,  
6 and, at one point, called her father fake, among other  
7 things. But, as Your Honor knows, she had a sibling who was  
8 only about a year or two younger than her. He grew up on  
9 the same picturesque farm in a bucolic environment in  
10 Overbrook, Kansas. We visited the defendant's childhood  
11 home in preparation for this hearing. It's a beautiful farm  
12 located on an 81-acre property. I've turned over pictures  
13 to the defense and to the probation officer.

14 And her parents reported quite the opposite about  
15 her history and characteristics. They said that she and her  
16 now 41-year-old brother were raised in a loving and stable  
17 home where all of their needs were met. She grew up  
18 actually with role models who sacrificed in service to this  
19 country. Her grandfather was in the Navy during World War  
20 II on the USS West Point moving troops across the Pacific  
21 Ocean. And her father served in Vietnam as a U.S. military  
22 advisor to the Vietnamese Army strike force. Her mother is  
23 a retired teacher.

24 And as Your Honor knows from the statement of  
25 facts, this is a highly-educated defendant. She went to the

1 University of Kansas, she studied biology, she received a  
2 teaching certificate from Earlham College, so she had some  
3 graduate-level education. And her parents noted that she  
4 was actually surrounded by family and friends who cared for  
5 her.

6 Given her intelligence and status as gifted  
7 children, they sent her and her brother to Topeka  
8 Collegiate, which is a secular school where students'  
9 standardized test scores placed them among the  
10 highest-achieving independent school students in the nation.  
11 And her parents paid this tuition, despite their modest  
12 finances.

13 And turning back to her brother, that's her only  
14 sibling. He grew up with the same parents, in the same  
15 home, with the same educational opportunities, but yet she  
16 now stands before this Court as a convicted global  
17 terrorist, and he has a very successful profession as an  
18 information technology professional outside of the state of  
19 Kansas.

20 Her father told me, when I went to her childhood  
21 home, "Allison is fortunate she is not being judged by the  
22 people who know her best." They asked me to tell Your Honor  
23 that she should be given the maximum penalty for her crimes  
24 so that she has no chance to hurt anyone else and lie to the  
25 world. They say that "give her 20 years. She destroyed

1       lives left and right. And if the Judge could send Allison  
2       to prison for a life sentence, she should."

3                     Her stepmother said that she's a very dangerous  
4       woman who put her children through such harrowing  
5       circumstances, and that if she could put her kids through  
6       such harrowing circumstances, what else could she do?

7                     And her father summed it up by saying, you know,  
8       the Fluke, Ekren and Brooks families don't deserve to have  
9       their names attached to my own daughter, and she should  
10      instead be referred to as Allison of Raqqa.

11                  Her mother indicated: "Isn't there any way you  
12      could send her to jail for the rest of her life?" This is  
13      her own mother saying this about her.

14                  Her brother indicated that she had leadership  
15      qualities and was very intelligent. That was evident in her  
16      ability to speak multiple languages. She had potential, but  
17      it was to the wrong ends, and she made terrible choices that  
18      are not defensible, which included putting her kids at risk.  
19      And if it was up to her brother, she would be an accessory  
20      to the death of her child. And he also supports the maximum  
21      sentence of 20 years for his sister.

22                  I'm not going to repeat Gabe and Leyla's letters  
23      to the Court. Your Honor has now made them part of the  
24      public record.

25                  But one of the other things that she mentions is

1 that her husband -- second husband, was the driving force  
2 behind her terrorism conduct. I believe you may hear some  
3 of that in the sentencing argument. But as Your Honor knows  
4 from our sentencing position, it was actually the other way  
5 around. Her own parents indicated that Fluke-Ekren  
6 radicalized her second husband who, of course, as Your Honor  
7 knows, ultimately ascended through the ranks of ISIS and  
8 became the emir of ISIS snipers in Syria.

9                   And according to Allison -- the defendant's -- own  
10 father, her second husband, was good and faithful, kind and  
11 generous to everyone while the couple lived in Kansas. Her  
12 mother called him a gentle person and noted that he did not  
13 have the same drive to excel as Fluke-Ekren did. This is  
14 someone who became the leader of ISIS snipers in Syria, and  
15 the defendant's own parents are indicating, actually, she  
16 radicalized him, and he was kind and gentle before she  
17 influenced him.

18                   Even her former longtime friend indicated to  
19 myself, the FBI and the probation officer who participated  
20 in the interview, that she drugged her second husband using  
21 Adderall to make him focus on what she wanted him to do,  
22 that she led him, and that it was no secret that Fluke-Ekren  
23 was the brains behind all things, and that she was  
24 undeniably the alpha in their relationship.

25                   Your Honor may hear that there was an unfortunate

1 incident that occurred between the defendant and her second  
2 husband in 2005; however, as we stated, that single  
3 incident -- a domestic violence incident that ended up  
4 resulting in a diversion agreement -- occurred over three  
5 years prior to her initial travel overseas in 2008, over six  
6 years before her involvement in the aftermath of the  
7 Benghazi terrorist attacks in 2011 [sic], approximately nine  
8 years before the earliest ISIS-related conduct set forth in  
9 the statement of facts, and 14 years prior to the end of the  
10 ISIS-related conduct in 2019 charged in this case.

11 The point, Your Honor, is the incident is entirely  
12 unrelated to Fluke-Ekren's vast terrorism-related conduct  
13 that occurred years later and continued nearly unabated  
14 throughout her time overseas.

15 Leyla, who's in the courtroom, also indicated that  
16 "my mother controlled her second husband." Her second  
17 husband was Leyla's father. So if there's anyone who knows  
18 who controlled whom, it's the defendant's daughter. And  
19 she's saying it was the other way around, that my mother  
20 controlled my father, and he actively disapproved of what  
21 she was doing in terms of starting a battalion and would  
22 often get in the way. And Leyla stated, "this is why the  
23 most successful attempt of Allison's battalion, Khatiba  
24 Nusaybah, was after he had already died." And that's in the  
25 PSR at page 51.

1                   Turning to affording adequate deterrence to  
2 criminal conduct. It's no surprise, Your Honor, that our  
3 argument is that her horrendous criminal conduct should be  
4 this Court's lodestar in imposing the statutory maximum  
5 sentence of 20 years imprisonment in this case, both for  
6 specific and general deterrence purposes.

7                   As for a specific deterrence, as Your Honor will  
8 soon hear, she had access to a phone and the Internet during  
9 the time that she spent committing terrorist attacks abroad,  
10 dating back to 2011 and continuing until last year. And the  
11 Government does not have any evidence that she ever  
12 contacted any U.S. authorities to turn herself in as a  
13 member of ISIS.

14                  The defense is using the statement of facts in  
15 this regard. And I just want to be very clear about this,  
16 Your Honor. We stand by the statement of facts. There's no  
17 argument whatsoever about what's being written, but we have  
18 to be very careful about not parsing out the words in this  
19 document to have it mean something that it does not say.

20                  In the document, the vast majority of the document  
21 either indicates that Fluke-Ekren told these witnesses the  
22 things stated in the document, she did these things, or,  
23 according to a witness, these things happened.

24                  But when it comes to this whole notion of turning  
25 herself in, paragraph 23 of the document indicates that

1 "Fluke-Ekren also stated that she informed the local Syrian  
2 authorities in 2021 that she was an American and wanted to  
3 leave Syria at that time. Fluke-Ekren further stated that  
4 approximately two weeks later, she was taken into custody."

5 That was very purposeful, Your Honor, because  
6 those are statements from her. That is what she told us  
7 after she was arrested, she was Mirandized, she was  
8 interviewed by the FBI. Those are her own self-serving  
9 statements. And she wanted that in the statement of facts,  
10 we put it in there.

11 But let's be clear, we don't have any  
12 corroborating evidence that she turned herself in. In fact,  
13 the audio calls that Your Honor will soon hear indicates  
14 quite the opposite. We don't disagree that she stated these  
15 things to the FBI during the interview. And that's what the  
16 statement of facts is referring to, that she made these  
17 claims, she stated that she turned herself in.

18 But if she wanted to turn herself in, Your Honor,  
19 one must ask the question, why isn't she contacting the  
20 Government where she was born, the United States? The  
21 country where she left. The country that she was once proud  
22 to call herself a United States citizen. She's still a  
23 United States citizen. Why isn't she contacting the  
24 authorities in the United States? So I just want to be very  
25 clear that the statement of facts indicates her version of

1 events and that she stated those things; not that we are  
2 corroborating those claims of turning herself in. So that's  
3 very important for specific deterrence purposes.

4 And we'll get to the calls in a moment, Your  
5 Honor. But on the calls -- last year on a recorded call  
6 that I'll play in court today, she states that, until the  
7 very end, she begged to remain and fight on behalf of the  
8 callous terrorist organization, even if it meant abandoning  
9 all of her children in Syria.

10 Now, I'm paraphrasing, but Your Honor will hear on  
11 the call, and the words speak for themselves. But the calls  
12 indicate that she was a fervent ISIS leader until the very  
13 end, and that when she had the opportunity to turn herself  
14 in, she could have told her daughter. She was speaking to  
15 her daughter, who's in this courtroom, who was in the United  
16 States. She could have said, hey, I've got to get out of  
17 here, I've got these kids, help me get out of here. Her  
18 daughter even tells her that the FBI spoke to me. But she  
19 does no such thing, and Your Honor will hear that in a  
20 moment. So, Your Honor, we believe that she's incapable of  
21 being deterred, and imposing the statutory maximum sentence  
22 would recognize that.

23 Additionally, given the extremely serious nature  
24 of this case, which has been closely followed in this  
25 district, nationwide and around the world, the general

1       deterrence value in imposing a statutory maximum sentence is  
2       significant.

3                   Occasionally, Your Honor, a case comes along that  
4       has the ability to reach audiences nationwide and worldwide.  
5       The Eastern District of Virginia has seen, perhaps, a higher  
6       number of these cases than other courts and has been  
7       arguably -- has arguably amassed more experience in handling  
8       terrorism cases than any other federal court dating back to  
9       the Zacarias Moussaoui prosecution.

10          But it's not every day that these cases come  
11       along, and those that truly have the ability to carve their  
12       place in history by exposing the atrocities of the defendant  
13       on a global scale, those are the types of cases where the  
14       general deterrence value can work the most. And this is one  
15       of those cases, Your Honor. And we believe that imposing  
16       less than the statutory maximum sentence in this case, with  
17       the egregious and horrific facts like this one, will detract  
18       from that unique deterrence message.

19          Your Honor knows there are cases day in and day  
20       out in this courtroom. They're all important, but how many  
21       of these cases are like this one that, truly, whatever Your  
22       Honor decides to do today, it will be carved in history?  
23       Individuals will know about it today, and they'll know about  
24       it for decades and decades to come. And anything less than  
25       the statutory maximum, we believe, would lead to questions

1 from the public, given the statement of facts and given all  
2 the conduct that we're describing today.

3                 But imposing the maximum sentence will send an  
4 unmistakable message that terrorism is a scourge on the  
5 entire international community, and that these unfathomable  
6 acts of terror and cruelty will be met with full  
7 accountability in our courts. For any terrorist who seeks  
8 to harm the United States, the passage of time will offer  
9 you no escape. And that's the message Your Honor will be  
10 sending by imposing a statutory maximum sentence in this  
11 case.

12                 Turning to unwarranted sentencing disparities,  
13 I've described that in the sentencing memorandum. But, put  
14 simply, Your Honor, there is no comparable ISIS case in this  
15 district to this defendant that did not involve murders.

16                 The sheer breadth, scope and egregious nature of  
17 her crimes makes this case unique. As Your Honor knows,  
18 it's the first prosecution in the United States of a female  
19 ISIS military battalion leader. Her acts of terror spanned  
20 at least eight years across multiple war zones, from  
21 Benghazi to Raqqa, and involved the devastating exploitation  
22 of her own daughter to further her terrorism-related goals,  
23 among numerous other children that she coerced to take this  
24 military terrorism training.

25                 And she's also, Your Honor, among the eldest

1 material support defendants to come before this Court for  
2 any terrorist organization. I know Your Honor stated in the  
3 Nicholas Young sentencing that at the time -- he was  
4 38 years old at the time of the original sentencing. And  
5 that's a factor that Courts can take into consideration  
6 because "older people are expected to be a bit more mature  
7 in their approach to things."

8 Well, this defendant is now the oldest ISIS  
9 defendant to have ever been prosecuted in this district.  
10 And unlike the vast majority of ISIS defendants who have  
11 been prosecuted nationwide, she successfully traveled to  
12 ISIS-controlled territory and committed crimes in Syria on  
13 behalf of ISIS from 2014 through in or around May of 2019.

14 Most defendants, Your Honor knows, not just here,  
15 but nationwide, thankfully, they're arrested at the airport  
16 before they can commit their crimes, and Courts sentence  
17 them on a routine basis based on what they intended to do.  
18 Those are attempted material support cases. And we've had  
19 those cases here, right, where defendants will get in their  
20 car, they'll drive to the airport, they'll tell an FBI  
21 undercover online what they had planned to do if they make  
22 it to Syria. But, thankfully, they don't make it to Syria,  
23 and they still receive lengthy sentences.

24 You know, in other courts nationwide, some of  
25 those defendants have been maxed out, have been given 20

1 years of imprisonment, including the two individuals that I  
2 mentioned in the sentencing memorandum, Bernard Augustine  
3 and Zakaryia Abdin. Augustine was in the Eastern District  
4 of New York; Abdin was in the District of South Carolina.  
5 Those are fairly recent cases. Both courts there imposed  
6 20 years of imprisonment, despite the fact that those  
7 individuals were young. They were as young as 18 and  
8 20 years old. And they were not ISIS leaders, nor did they  
9 successfully travel to ISIS-controlled territory.

10 I actually worked on the Bernard Augustine case  
11 and helped EDNY charge that case. Make no mistake, he  
12 deserved those 20 years, but that case was very different to  
13 this defendant. He actually never made it anywhere in  
14 ISIS-controlled territory and never had the opportunity to  
15 do anything for ISIS. Here, Your Honor has page after page  
16 of someone who successfully joined a terrorist organization,  
17 joined other terrorist organizations, and did a multitude of  
18 terrorist acts on behalf of those organizations.

19 Additionally, I'm aware -- unaware, Your Honor, of  
20 any other material support case in this court that involved  
21 a defendant using their own child in furtherance of  
22 terrorist acts or for any other purpose.

23 Of course sentencing is individualized for each  
24 defendant. And, here, the defendant's conduct is set forth  
25 in the statement of facts. It leads to the inescapable

1 conclusion that she should be sentenced to the maximum  
2 penalty under the law.

3 Just a few more points about this, because it was  
4 raised in the defense's sentencing memorandum. You know,  
5 they claimed that it would send the wrong message if you  
6 imposed the stat max because she pled guilty and came back  
7 to the United States.

8 One, again, Your Honor, we don't have any  
9 corroborating evidence that, you know, she turned herself  
10 in. That's what she stated. She was captured by other  
11 foreign authorities and ultimately turned over to the United  
12 States. She could have come back at any time, right,  
13 between 2011 and 2021 on her own. She never did.

14 Two, she received a huge benefit from pleading  
15 guilty. And she's not doing this for altruistic purposes,  
16 such as, you know, having her daughter not testify against  
17 her; this was about the benefit that she received. She  
18 pleaded guilty to one count. We didn't overcharge this  
19 case, Your Honor. When I was a young prosecutor in your  
20 court, that's one of the things I learned. If you've got a  
21 good case and it's strong and you've got the evidence, no  
22 need to overcharge the case. Trust the justice system.  
23 Trust that the Courts will do the right thing.

24 And, here, we could have insisted on her pleading  
25 guilty to numerous counts. We could have, quite frankly,

1 charged the mandatory minimum. 18 U.S.C. 2339D is receiving  
2 military training on behalf of a terrorist organization, and  
3 it requires a Court to impose either probation or ten years.  
4 There's no middle ground. But we didn't do that because,  
5 here, the conduct speaks for itself.

6 Yes, she was willing to plead guilty, and, you  
7 know, that's something that should be considered. But  
8 ultimately Your Honor should weigh that against all of the  
9 aggravating factors in this case and the conduct itself and  
10 the fact that we didn't just insist on a trial. And we  
11 don't want to create those incentives, right, for younger or  
12 less experienced prosecutors who say, well, look what they  
13 did in that Fluke-Ekren case. You know, she got less than  
14 20 years for that egregious conduct, so, no, I'm not going  
15 to give a plea offer. Let's just go to trial. And then  
16 that way the Court can say, well, this defendant went to  
17 trial. We don't want to create those incentives, and we  
18 didn't in this case.

19 And we also don't want to create venue shopping,  
20 Your Honor. I pointed out a couple of those cases where  
21 much less egregious facts have led to statutory maximum  
22 sentences. We're the leader in terrorism cases, Your Honor.  
23 We don't want to create the impression for the public, for  
24 law enforcement, for anyone, that, you know, these cases, if  
25 they come to the Eastern District of Virginia, they're going

1 to be given less harsh penalties.

2 In fact, Your Honor stated quite the opposite  
3 during the Nicholas Young sentencing and said, if you aid a  
4 terrorist organization, people have to know that, at least  
5 in this district, there's a very harsh penalty to be paid.

6 And in this type of case that is so well known and  
7 will continue to be well known throughout history, imposing  
8 less than the stat max, we believe, will lead to questions  
9 and may, in a perverse way, incentivize other people to come  
10 to the Eastern District of Virginia. Which we don't want to  
11 happen, because they may think that they're going to get a  
12 lighter sentence when they view their conduct vis-a-vis this  
13 defendant's conduct.

14 She also didn't cooperate, Your Honor. And so --  
15 she repeatedly lied to the U.S. Government. And so this  
16 whole notion that, well, you're sending the wrong message if  
17 you give her the stat max because then other individuals may  
18 not want to turn themselves in. She didn't turn herself in;  
19 she didn't cooperate. If she did those things, then  
20 maybe -- maybe -- we would have something to talk about.  
21 But this would create the wrong message, because it would  
22 show that other terrorists who commit egregious crimes can  
23 come back here and not cooperate.

24 I mean, this defendant probably is a gold mine of  
25 intelligence, given all the time she's spent overseas, all

1 the things that she's learned by ascending to the higher  
2 echelons of ISIS, all the people that she's met, all the  
3 co-conspirators that she trained. But she didn't cooperate,  
4 and so she shouldn't be given credit for, in that sense, to  
5 receive a less than a statutory maximum penalty, and we  
6 think the opposite message will be sent if she was given  
7 less than that 20 years.

8 Your Honor, to turn to the PTSD diagnosis. We  
9 filed a memorandum on that, so I won't repeat those  
10 arguments. But, very tellingly, Your Honor, the expert did  
11 not review any of the numerous 2021 audio recordings between  
12 the defendant or her daughter, or so it appears. She listed  
13 a lot of the interviews that we turned over, but she didn't  
14 list any of the audio recordings between the defendant and  
15 her daughter, including the ones that I'm going to play  
16 today.

17 It appears from the report that the expert did not  
18 even attempt to speak with the defendant's father, mother,  
19 stepmother, the two children that are here in this  
20 courtroom, or any of her friends, including her former  
21 longtime friend who spoke to the U.S. probation officer.

22 In fact, we would have gladly helped set up those  
23 interviews for this so-called expert if we were contacted.  
24 It would have been up to the family members, and it would  
25 have been up to Leyla and Gabe, but there was zero advance

1 notice of this report. The expert didn't take the time to  
2 interview the people who know her best. And then she even  
3 writes in her report that: "This report reflects my  
4 professional opinion at the time of this writing based on  
5 the data sources listed earlier in this report. My opinion  
6 is subject to change should new information become  
7 available."

8 The report also conveniently says nothing about  
9 Fluke-Ekren's terrorism conduct in Egypt, Libya or Iraq, and  
10 focuses solely on Syria. And even that, it does nothing to  
11 explain or justify her conduct in Syria. There's no  
12 coercion, domestic violence, diminished capacity or any  
13 other mitigating circumstance in the report for why the  
14 defendant engaged in this heinous conduct, nor could there  
15 be.

16 And if she's now exhibiting PTSD, it is a direct  
17 consequence of her voluntary choices, including supporting  
18 multiple terrorist organizations overseas, training over 100  
19 women and young girls to kill, aspiring to commit attacks  
20 against the United States, and moving her children across  
21 several war zones while evading capture for over a decade.

22 And as you will soon hear from her daughter,  
23 Leyla, Fluke-Ekren began making a video out of the corpse of  
24 her dead five-year-old child when he was killed by a tank  
25 missile strike at their home in Syria. That does not

1 reflect the behavior of someone who was "shocked by the  
2 horrors of war," as the defendant stated in her sentencing  
3 memorandum. She gravitated toward it. She was attracted to  
4 death and destruction and sought to capitalize on its  
5 aftermath. And, Your Honor, we believe that the Bureau of  
6 Prisons is well equipped to provide treatment for her  
7 physical and mental needs.

8           And, you know, one thing we do agree with is that  
9 if she is eligible for the Resolve Program -- which the  
10 expert mentions in her report -- as determined by the Bureau  
11 of Prisons, then she should take advantage of it. In fact,  
12 FMC Carswell in Fort Worth, Texas is an administrative  
13 security prison within BOP that may be suitable for  
14 Fluke-Ekren. Convicted female terrorist Aafia Siddiqui is  
15 housed there, for example. But just as we defer to the BOP,  
16 we would ask that the Court defer to the BOP without making  
17 any sentencing recommendations in this case. She can obtain  
18 the mental health treatment in any BOP facility in which she  
19 is designated and need not receive any special treatment  
20 given the callous and repugnant conduct in which she  
21 engaged.

22           Now, just ending, Your Honor, the last section is  
23 promoting respect for the law, providing just punishment for  
24 the offense, and ensuring that the defendant does not commit  
25 further crimes and that the public is protected from further

1 crimes of the defendant.

2 I've already talked about how her actions  
3 demonstrated an utter lack of respect for the law and human  
4 dignity in our sentencing position. We've listed examples,  
5 including her attempt to mislead this Court under oath.  
6 Again, she says: "You know, Your Honor, just -- the only  
7 thing I would say is that we didn't intentionally train any  
8 young girls. They may have been in attendance, but I  
9 can't -- but --"

10 And, Your Honor, this statement did not have a  
11 scintilla of truth to it. She intentionally began training  
12 her own daughter, as you will hear. These other girls who  
13 were listed in the statement of facts were, of course,  
14 intentionally trained. You don't unintentionally train  
15 someone with a suicide belt. You don't unintentionally  
16 train a minor to kill the kuffar. It just has no ring of  
17 truth to it whatsoever.

18 She told the probation officer that when she was  
19 talking to her daughter in Syria, that "she did not know she  
20 was wanted by the authorities." That's a quote. It's in  
21 the PSR, paragraph 107. She was "at a crossroads" and "did  
22 not know she was wanted by authorities." She was talking to  
23 her daughter at the end of 2020 and in 2021. For her to  
24 tell the probation officer she didn't know she was wanted by  
25 the authorities after she had done all of the acts that are

1 in the statement of facts is truly incredible in the worst  
2 way.

3 I'm now, Your Honor, going to play the recorded  
4 voice messages. I've handed up transcripts that are  
5 prepared just for aid purposes. I've provided a copy to the  
6 defense.

7                   And if we can first start with the first  
8 recording, which is January 4th, 2021. It's a very short  
9 recording.

10 THE COURT: All right.

11 (Audio played.)

12 MR. PAREKH: So, Your Honor, that was a recorded  
13 call on January 4th, 2021. It was between the defendant and  
14 her daughter, Leyla, who is in this courtroom.

15 And, Your Honor, that's how much pain and anguish  
16 Fluke-Ekren inflicted on her daughter. The depth of harm  
17 that she caused is so great that her own daughter recorded  
18 her in an effort to help us locate and capture her.

19 She's in Syria at the time. She says initially,  
20 of course I'm wanted. And then you can sort of see what  
21 Leyla and Gabe were talking about in their letters in terms  
22 of the emotional manipulation that she uses when she says:  
23 "That's good. That's very good. And you're doing great,  
24 Ley. I'm proud of you. You be smart right now."

25 You know, she just talked about how the FBI was

1 questioning her and how they were looking to get American  
2 citizens, you know, who were over there, and that's how she  
3 responds. And she ends it with: "You'll be fine the day  
4 you come back here." Knowing the pain and anguish that she  
5 caused her daughter. At this point, her daughter, as you'll  
6 hear, has been raped by an ISIS fighter, she came back to  
7 the United States, had gone through unbelievable trauma.

8                   And, by the way, the Court -- one must ask itself,  
9 why didn't she leave with her own daughter? Her daughter  
10 was back in the United States in 2017. That's when I met  
11 her, weeks within her coming back, and her mother's  
12 remaining in the Islamic State stronghold. She left her own  
13 daughter to go back, and now she's telling her, "you'll be  
14 fine the day you come back here. And you come. You don't  
15 belong there."

16 The next call is a call between -- it's just  
17 Fluke-Ekren telling Leyla, her daughter, a message. And  
18 that's a call on January 21st, 2021. Again, just last year.

19 We can play that call now.

20 (Audio played.)

21 MR. PAREKH: As the defense knows, right before  
22 this call she tells her daughter she loves her, and then she  
23 tells her to delete everything. It is illustrative of the  
24 emotional manipulation that she uses on her own children.

25 And this is last year, Your Honor. This is,

1 arguably, obstruction. They just had a conversation a few  
2 weeks prior where she says: "Am I wanted? Of course I'm  
3 wanted." And now she's saying that she knows that the  
4 messages between the two of them can get her and the kids  
5 and everybody in prison immediately.

6 And the reason for that, Your Honor, is that she's  
7 describing to her daughter generally where she's located in  
8 Syria. At one point she sends her daughter a video of her  
9 home, and she realizes that if that got out and that was  
10 captured by law enforcement, that that could lead to her  
11 capture. So she's instructing her own daughter to delete  
12 everything and to engage in these obstructive acts.

13 The last call, Your Honor, is a little bit longer.  
14 I'll start it at three minutes and approximately 21 seconds.  
15 It will be about four and a half minutes long. The  
16 transcript, for the Court's purposes, it will start on  
17 page 4. The defense has the entire call, but in an effort  
18 to save time, I'll start it at three minutes and 21 seconds,  
19 please.

20 (Audio played.)

21 MR. PAREKH: Just to put context for this last  
22 recorded call, Your Honor. This was just last year. The  
23 date is January 24th, 2021. And the call starts out -- the  
24 portion that we didn't play, just to save time, the call  
25 starts out with Leyla asking her about how she felt leading

1 the Khatiba, referring to the ISIS battalion where she was  
2 the leader and organizer on behalf of the terrorist  
3 organization. And she asked her: "How did that feel?"

4 And if I had to guess, you know, the defendant --  
5 or the defense may get up here and say, no, I was talking  
6 about how, you know, Leyla's daughter was at the time. That  
7 can't be further from the truth, Your Honor. Your Honor can  
8 see that from the actual words that the defendant uses.  
9 Leyla asks her specifically about the ISIS battalion, and  
10 then she tells her this is really devastating in terms of,  
11 you know, the core thinking that she has any ability to  
12 rehabilitate herself or that she feels any kind of regret.  
13 Because in the event that she decides to allocute today --  
14 and that's her choice, she's not required to, but it's my  
15 understanding that she might -- I would like these words to  
16 be recognized, and they're chilling. Which is that she says  
17 that: "I was devastated when I left, Leyla. I cried, and I  
18 begged Abu Mariam to let me stay." Abu Mariam is the  
19 defendant's fourth deceased husband. Meaning he's now  
20 deceased, fourth husband. Her first husband, of course, is  
21 not deceased.

22 But this comes -- she marries her second  
23 husband -- and it's no coincidence that all of these  
24 husbands are leaders of ISIS; right? Her second husband  
25 ascends to become the sniper emir of ISIS in Syria. Her

1 third husband was working on a project involving drones for  
2 ISIS where he was seeking to commit attacks outside of the  
3 United States [sic]. And then another project was to attach  
4 chemical weapons on drones on behalf of the Islamic State.  
5 And then the husband she marries after that husband dies is  
6 Abu Mariam. And she says, in her own words, despite what  
7 she says today, this is last year on this recorded call,  
8 that: "I begged Abu Mariam to let me stay."

9 He's listed in the statement of facts, not by  
10 name, but now you know his name, as the ISIS military leader  
11 in charge of defending Raqqa. Because, at the time,  
12 Raqqa -- there was the siege where the SDF was advancing on  
13 the ISIS territory, and they were seeking to reclaim land  
14 back with the Islamic State. And so Abu Mariam, her fourth  
15 husband, is an ISIS military leader in charge of ISIS's  
16 defense of Raqqa. She's saying: I begged Abu Mariam to let  
17 me stay. And then when he said no, I begged. And he said,  
18 you have all these kids. I told him, take my kids; let me  
19 stay.

20 So any notion that this defendant cares about her  
21 kids is belied by the very words in this recording. Her own  
22 words. Her own chilling words. She's telling this ISIS  
23 military leader to let me stay, and he's even saying, you're  
24 too extreme for me. And that's a common theme throughout  
25 the defendant's time overseas. She's consistently rejected

1 by terrorists who say, listen, that's too extreme, you've  
2 got to go, you've got all these kids. And she's saying on  
3 this call, I begged him, let me stay. I told him to take my  
4 kids. These are her own kids that she's saying in this  
5 call, I told him to take my own kids.

6                   And then she talks about how you can't give up.  
7 And, again, it's even more horrific that she's describing  
8 this to her own daughter. You can hear -- her kids are  
9 wailing in the background; she's doing nothing. And then  
10 she says: "You don't lose when somebody dies." I'm not  
11 sure how that can be interpreted as anything but reflecting  
12 her deeply-committed Jihadist mindset.

13                   And then, finally, at the end, she says: "And  
14 when you lose something because you are doing something that  
15 you believe in, like Ahmed, for example, or your dad."  
16 Ahmed, as Your Honor knows from the PSR, is the middle name  
17 of her five-year-old child who was killed by that tank  
18 missile strike. The one where I believe Leyla will describe  
19 she was making a video out of his corpse in order to use it  
20 as an ISIS propaganda video to motivate her trainees -- the  
21 ones that she was training on behalf of ISIS with the  
22 firearms and explosives. She says: When you lose something  
23 because you were doing something you believe in, like Ahmed,  
24 for example, or your dad.

25                   What is she doing that she believes in involving

1 her five-year-old son? She's with ISIS, and she's training  
2 people. And so the fact that she lost her five-year-old son  
3 or she lost Leyla's dad, who died while doing reconnaissance  
4 on a hill attempting to commit a terrorist attack on behalf  
5 of ISIS, this is deeply reflective of her mindset. And she  
6 ends it by saying: Then you don't really feel regret. You  
7 don't feel regret. You feel sad, but you don't feel regret.

8 Your Honor, these are her own words from last  
9 year. And this is what she's saying when the Court's not  
10 listening, when the public's not listening. This is what  
11 she's saying on these recorded calls with her own daughter  
12 that she thought was private, and that reflects more than  
13 anything that she or the defense could possibly say today.

14 I'm now going to conclude, Your Honor. In terms  
15 of protecting the public from further crimes of the  
16 defendant, I've talked about her exceptionally serious acts  
17 of terror across multiple organizations in Libya, Iraq and  
18 Syria for a span of at least eight years; I've talked about  
19 everything in the statement of facts and the fact that she  
20 placed her own reverence for terrorism above her own  
21 children.

22 Put simply, Your Honor, this defendant left a  
23 trail of betrayal, led an ISIS battalion for a terrorist  
24 organization that is unmatched in its cruelty and violence,  
25 and plunged herself even further into the dark abyss by

1       inflicting surreal horror upon children, including her own.  
2       Every member of her family with whom we spoke, including her  
3       mother, father, stepmother, brother and her two children in  
4       this courtroom have requested the maximum punishment in this  
5       case.

6                  THE COURT: All right.

7                  MR. PAREKH: That type of uniformity in seeking  
8       the maximum allowable sentence under the law from the  
9       defendant's own family members is exceptionally rare, if not  
10      unprecedented. Based on our own careful considerations of  
11      the sentencing factors, we respectfully agree with that  
12      request and ask that you impose the statutory maximum  
13      sentence of 20 years imprisonment in this case. Thank you.

14                 THE COURT: All right.

15                 Mr. King.

16                 MR. KING: Thank you, Your Honor. May it please  
17      the Court.

18                 I wanted to address a few items from the United  
19      States's sentencing argument. One is whether  
20      Ms. Fluke-Ekren turned herself in. She maintains that she  
21      did. She brought herself to the attention of Syrian  
22      authorities in June of 2021, and that resulted ultimately in  
23      her extradition to the United States. And the United  
24      States, in its proffer today, has provided no evidence that  
25      that is not the case.

1                   How else was she found unless she brought herself  
2 to the attention of the Syrian authorities? It seems like  
3 that would be the most logical explanation. If she was  
4 really able to maintain herself out of reach of law  
5 enforcement for more than a decade, why couldn't she have  
6 just continued with that? I think that her explanation  
7 there that she brought herself to the attention of the  
8 Syrian authorities is true.

9                   And with regard to her statement, following up on  
10 this, to the probation officer that she did not know that  
11 she was wanted, there is no way that she could completely  
12 know that she was wanted and that there was an under-seal  
13 criminal complaint from the Eastern District of Virginia.

14                  And, in fact, when we listened to the call that  
15 was played by the Government, the January 4th, 2021 call,  
16 her daughter, Leyla, is trying to assuage her concerns that  
17 she is wanted, telling her that she has not heard about her  
18 mother being inquired about by the authorities for a long  
19 period of time. So that is a completely reasonable  
20 statement that she made to the probation officer that she  
21 did not, in fact, know.

22                  Now, certainly she suspected that she was wanted,  
23 and so she knew when she brought herself to the attention of  
24 Syrian authorities -- which is the same as turning herself  
25 in -- saying that she's an American, that there's a great

1 chance that she's going to be taken into custody ultimately  
2 or be transferred to the custody of the American government.  
3 And that, in fact, happened. And she should be given credit  
4 for that.

5 She is not like the case that was recently before  
6 the Court where somebody fought extradition -- not in this  
7 particular courtroom -- for a number of years. You know,  
8 she went -- brought herself to the attention, and then all  
9 those things followed where she ended up in a Turkish  
10 prison, and then she was transported here.

11 I just wanted to address very briefly some of the  
12 context to the last call that the Government played. I  
13 believe that was from January the 21st, 2021 between  
14 Ms. Fluke-Ekren and her daughter. The beginning of the call  
15 was not played, but the Government did summarize what --  
16 some of the statements that were made in there where  
17 Ms. Fluke-Ekren is begging her husband at the time, Abu  
18 Mariam, not to -- not to leave Raqqa or not to be taken out  
19 of Raqqa.

20 Ms. Fluke-Ekren indicates there was a lack of  
21 context that the Court has not been provided, that there's  
22 other background that's really important. Is that Abu  
23 Mariam did want to leave with Ms. Fluke-Ekren -- ultimately  
24 he was not in Raqqa at the time of the siege -- and take the  
25 children to another location.

1                   She did not want to leave with him at that time  
2 because Leyla wouldn't leave. She wanted to stay there and  
3 get Leyla out. But, ultimately, that didn't happen, and  
4 they became separated. That's context that the Court  
5 doesn't have with regard to that phone call.

6                   A few other things that we wanted to address with  
7 regard to the Government's presentation. Government's  
8 Exhibit 1, which is a document indicating the formation of  
9 the Widow's Bureau in January of 2017 -- I'm sorry, of the  
10 Khatiba. That is under the Widow's Bureau; it's not under  
11 the military arm of ISIS. And it's our position that  
12 indicated -- said it was not an offensive organization.

13                  With regard to Government Exhibit 2, that's from  
14 December of 2016, Umm Ahmad al-Afriqi, the defendant  
15 indicates that that's not her; that's somebody else. And  
16 maybe their vision of the Khatiba Nusaybah would be  
17 something different and would be offensive, but that wasn't  
18 Ms. Fluke-Ekren's view of it. She says that that's not her,  
19 and that is a document that's been taken out of context.

20                  I wanted to go back just very briefly and just  
21 address the -- or mention some things about the abuse  
22 allegations but not go into them, except to say that now  
23 that these have been reported in the press and that she's  
24 not had -- she didn't have the resources or ability to rebut  
25 all these here, is that this is going to multiply her

1 punishment, as the Court had indicated. These are also  
2 statements that are going to be in the PSR that's going to  
3 follow her to the Bureau of Prisons. This may place  
4 Ms. Fluke-Ekren at an increased risk from other inmates.  
5 This is printed on the Internet. People are going to see  
6 this for purported crimes against children or otherwise make  
7 her a pariah. And also it's going to have more impacts in  
8 that the punishment is just not going to stop.

9 The -- as the Court may be aware is that there are  
10 six children that left with Ms. Fluke-Ekren from Syria, and  
11 we're going to present a few pictures of them later on in  
12 the presentation with regard to their home life there. And  
13 there has been a custody case that's been going on in  
14 Loudoun County, and the Court there decided, in the Circuit  
15 Court, to place her children in foster care. But it's not  
16 for any lack of care, it's not for any abusive conduct  
17 toward them. All indications are that those children were  
18 very healthy, they were very well treated.

19 I believe that I saw CPS documents indicating that  
20 when they came off the plane after they were flown from  
21 Syria to the Eastern District of Virginia, they had all  
22 their items labeled, they were all in good health. That  
23 decision now has been that those children would go into  
24 foster care due to her status of being incarcerated.

25 That case is going to be on appeal. And if she

1 prevails on appeal when it comes back, now she's going to  
2 have to contend with all these other allegations of whether  
3 she's going to be a fit parent. So it's going to be another  
4 hurdle that she'll have to overcome if she prevails on  
5 appeal in that case. So the punishment for that is  
6 continuing.

7 And as the Court has said, that's not what she's  
8 being sentenced for; she's being sentenced for the crimes  
9 that she committed while with ISIS and in Syria. And she  
10 does acknowledge that the conduct was serious, but she does  
11 ask for the Court to take in mitigation the circumstances of  
12 it.

13 This training did occur during a brutal war when  
14 combatants were being killed on all sides, there's violence  
15 all around with brutal acts being committed against women  
16 and children. In that context, it would be understandable  
17 that the people that she did train with weapons would want  
18 to be able to defend themselves in case the PKK were to  
19 invade Raqqa. Or, even worse, Assad's forces were to knock  
20 on their door and come in. Because it was well known that  
21 Assad's forces especially created incredibly brutal acts of  
22 rape against women and children.

23 Also with regard to the training itself, the  
24 defendant's daughter, Leyla, mentioned -- it's either in an  
25 interview -- I believe it's in an interview -- that this

1 training, as she described it, was lame, L-A-M-E, lame.  
2 That she also -- her daughter also stated that while the  
3 Wali of Raqqa, who is the mayor of Raqqa, created the  
4 forming of this Khatiba, it was never serious, and they were  
5 never actually going to fight. And that's what  
6 Ms. Fluke-Ekren's daughter said, and Ms. Fluke-Ekren knew  
7 that as well. Also, there's no evidence that anyone  
8 associated with it -- that included persons detailed to be  
9 cooks, babysitters and nurses -- ever did anything.

10 The defendant herself never fired a shot against  
11 anyone. While there was talk of purported attacks by a  
12 Government witness -- and the defendant admits and takes  
13 responsibility that she made such statements, and they are  
14 in the statement of facts.

15 These statements were made in a war zone. And I  
16 believe that Ms. -- well, I'm not going to mention the name,  
17 one of the witnesses the Government had mentioned who was  
18 from a different country that may have had a passport from a  
19 different country, indicated that when these statements were  
20 made, there had been an airstrike that had killed innocent  
21 civilians, including children.

22 And we ask the Court that these statements made in  
23 the context of a war zone where it's -- there's brutality on  
24 all sides, and they were never acted on or significantly  
25 mitigating.

1                   The Government remarked that the person who was  
2 the emir of snipers with ISIS and rose to that level,  
3 Volkan Ekren, there was many good things that people had  
4 said about him. Nonetheless, he was the emir of snipers.  
5 He was a huge man. He was approximately 6-foot-6,  
6 220 pounds. And the Government is now saying and family  
7 members are saying that she absolutely controlled him, in  
8 fact, drugged him with Adderall somehow in order to control  
9 his behavior. She disputes that. There was a domestic  
10 violence incident that was in 2005 that the Government  
11 mentioned, and the defense had provided the court documents  
12 that we had obtained from Kansas with regard to that.

13                  At one point, she did, in fact, want to leave him  
14 and divorce him and came back to the United States in 2010  
15 to try to get away from him. This is corroborated by her  
16 own son, Gabriel, who stated in one of his interviews he  
17 believed that they had been divorced there. She did want  
18 out of that relationship, and only returned -- and also by  
19 another Government witness -- this is in the PSR, I believe  
20 it's in paragraph 129 -- who was longtime friends with  
21 Ms. Fluke-Ekren, Ms. Fluke-Ekren had indicated to her that  
22 she did want a divorce.

23                  But the relationship was brought back together  
24 after she came to the United States where she had -- the  
25 child that was, unfortunately, lost in Syria, he was

1 actually born in the United States in 2010. She brought the  
2 children back to Egypt, and, after that, she had to follow.  
3 And many things followed after that where they had moved to  
4 Libya. And Volkan Eken, who was involved in the terrorist  
5 group that the Government had mentioned, brought documents  
6 from the embassy into her home, further trapping her in this  
7 situation.

8 And there was other domestic violence that we set  
9 forth in the position on sentencing, and it's also in the  
10 PSR. It wasn't a one-sided thing where she simply  
11 controlled this huge man in an Islamic society who was the  
12 emir of snipers for ISIS.

13 And with regard to punishment, in the three years  
14 where she was in Syria from 2015 to 2018, she did suffer  
15 tremendous losses. Not only with family and friends being  
16 killed in the war all around her -- and, yes, she chose the  
17 wrong side and chose an organization that she shouldn't have  
18 been with, but thousands of other people did, too. It's not  
19 that necessarily unique. Many people of the Islamic faith  
20 believed in some tenets of ISIS and joined them.

21 She had a son that was killed. Her husband of 14  
22 and a half years, despite their troubles that they had had,  
23 was killed, Volkan Eken. Eight months after that, another  
24 husband was killed. And she had a child who was just  
25 26 days old who died. And she doesn't know the ultimate

1 reason. Perhaps it was just an illness. And that was  
2 another loss. In the year following that, she had a third  
3 husband that was killed.

4 And so it's no surprise that with all the trauma  
5 that she suffered -- and the Government blames it on her --  
6 not all of this is her fault. She didn't choose to have a  
7 tank from Assad's Army fire into a civilian area and into  
8 her home and kill her young child and injure badly another  
9 one, who is now recovered and now lives in Turkey. Who, by  
10 the way, very much disputes any of the abuse allegations.  
11 That that happened to her. And, yes, she's in a war zone,  
12 and there's some responsibility there, but there's all sides  
13 that were inflicting violence. And civilians,  
14 unfortunately, as we know in war, often pay unfortunate  
15 prices.

16 I wanted to speak a little bit about the foreign  
17 custody that Ms. Fluke-Ekren endured. There was actually  
18 two stints. One, we agree that she would not get credit for  
19 where she was in a PKK internment camp where she suffered  
20 concentration-camp-like conditions. But for the second  
21 one -- which she was able to leave there. And apparently it  
22 was not hard to get out of these as long as you were able to  
23 provide something to a guard, you could just be let go.

24 But the second was the Turkish jail where the  
25 conditions were poor. And that was from approximately

1       June 29th, 2021, until she was transported to the United  
2       States on January the 28th, 2022.

3                  This is a -- we calculate it's approximately  
4       213 days in foreign custody that she should be credited for.  
5       She was there in the Turkish jail. There's no other local  
6       charges that are pending that's due to the arrest warrant  
7       from the United States. So she should be given credit for  
8       that.

9                  And, also, there's her life after ISIS. She did  
10      leave ISIS in 2019, and she attempted to achieve normalcy  
11      living in Syria. We detail this in significant -- in  
12      more -- we detail this in our position on sentencing where  
13      she's living in a small town in Syria. She's gotten a job  
14      with a non-profit. She has her six children that she is  
15      raising. And her and her husband -- and she is an educator,  
16      she does have a good education, and the United States  
17      mentioned that. And, actually, her longtime friend in the  
18      PSR -- I'm not going to mention the name -- also indicated  
19      that she was such a good teacher.

20                 She and her husband at the time built a school.  
21      And before that it was like a tent that was outdoors. But  
22      an actual school that served 50 children, including her own.  
23      She taught at that school for no pay. She interacted with  
24      local officials to get teachers designated at the school.  
25      She built desks for the students herself. And we have

1 pictures of that in our position on sentencing. And she  
2 also trained teachers there. She trained, in her estimate,  
3 approximately 20 teachers. She was doing good work there  
4 trying to -- in her -- in the ways that she could to rebuild  
5 the community that was around her.

6 She was peacefully raising her children. I want  
7 to share with the Court -- and these have been provided to  
8 the Government -- some photos that we would like to provide  
9 to the Court and also be placed under seal, because it shows  
10 their faces, and we don't want the children to be identified  
11 in any way. With the assistance of the Court security  
12 officer, I would like to submit to the Court Exhibits A, B  
13 and C.

14 THE COURT: All right. Defense Exhibits A, B and  
15 C will be a part of the record under seal.

16 (Defense Exhibit Numbers A, B and C admitted into evidence  
17 under seal.)

18 MR. KING: Thank you, Your Honor.

19 Those are photos that show well-cared-for, happy  
20 children that -- and one of them is showing a pizza night  
21 that they held once a month. And that's something that she  
22 indicates she had with her children going way back in time.  
23 That's something that she always did. And they reflect the  
24 happiness of those children and how she cares for children,  
25 provides for children. They are happy, they are healthy,

1 they are well cared for. There's not a hint of abuse.

2                   The Government spoke of general deterrence, and  
3 it's our position, as we indicated in our position on  
4 sentencing, that that does cut both ways.

5                   Ms. Fluke-Ekren is not the only one who's come out  
6 of Syria, and it -- will be punished for being associated  
7 with ISIS. But she indicates there's also many other women  
8 in Syria. There's thousands of women, and many more men,  
9 that went and joined ISIS in Syria. No doubt that they have  
10 very mixed motives. But there's many people there that are  
11 going to be afraid. They're now afraid to return to their  
12 home countries for fear of prosecution.

13                  Ms. Fluke-Ekren should be getting credit for  
14 bringing herself to the attention of Syrian authorities, for  
15 turning herself in. And if she's given the maximum  
16 sentence, it also sends the message. And I understand the  
17 Government's argument, well, she didn't get charged with  
18 every possible count that she could have been charged for.  
19 We agree the case has garnered a lot of attention. And if  
20 she receives the maximum sentence of 20 years, it will place  
21 fear into the other people that are still there. Don't turn  
22 yourself in. Don't come home. Stay here. Take our  
23 chances, no matter how tough the circumstances are here.

24                  And it's not just the chance -- when she brings  
25 herself to the attention of the Syrian authority when she

1 turns herself in -- of being prosecuted, she also took the  
2 chance of losing her minor children. And she has repeatedly  
3 said to counsel -- and there's nothing to contradict this --  
4 that there is nothing more important to her than her  
5 children's case in Loudoun County. There's nothing more  
6 important to her than her children. But she wanted  
7 something better for them. There was bad -- even though  
8 there was some normalcy that she achieved in Syria  
9 developing the school, working, providing those children,  
10 there was still certainly risks there. That civil war has  
11 not ended, and she wanted something better for them, and now  
12 she's at risk of losing them completely. If she receives a  
13 sentence of 20 years, they'll all be grown.

14 She also should be given credit for the early plea  
15 that she made in this case. She waived a preliminary  
16 hearing, that was not contested. She pled guilty by  
17 information so the case did not have to go to a grand jury.  
18 And she was motivated.

19 And this has all come undone and apart to not put  
20 her daughter and the other young people through a trial.  
21 That was a motivation of hers. And there's no reason to  
22 doubt that. I mean, they're her children. Leyla is her  
23 child. She didn't want her daughter to have to testify  
24 against her. She didn't want that to happen. And it's only  
25 now that it actually is, in fact, happening, which was not

1 anticipated at all at the time that she pled guilty.

2                 These new accusations didn't come about until  
3 September of this year, and that was only after a person  
4 that Ms. Fluke-Ekren knew went to Kansas and attempted to  
5 communicate with Leyla. All of a sudden, there's this  
6 barrage of -- this is a -- the person who went there, it's  
7 in the -- I don't have the paragraph, but I'm sure the Court  
8 is familiar. The person that went to Kansas attempted to  
9 talk with Leyla there, and this happened after she had --

10                 THE COURT: Well, isn't that person the alleged  
11 current husband?

12                 MR. KING: Yes, Your Honor. That is who it is.

13                 I was -- I didn't want to provide the name on the  
14 Court record.

15                 THE COURT: I'm not saying the name. I mean,  
16 that's the alleged current husband.

17                 MR. KING: That's right. He went to Kansas, and  
18 it's after that these new allegations have flown in.

19                 THE COURT: And this is a person who your client,  
20 as I understand it, met online, married -- I didn't know you  
21 could do a marriage online. Married shortly before she  
22 turned herself in, at least what you've described as turning  
23 herself in, which makes me suspicious as to why you would  
24 marry a stranger, and then within a few weeks or months,  
25 turn yourself in.

1           It could also be interpreted to be part of a plan  
2 that's a bit more devious than we -- it's not an issue in  
3 this case, but it's very troubling. And it was very  
4 troubling to the Court that this person, who would have no  
5 relationship with those children, would have been trying to  
6 become the guardian for them.

7           Anyway, we're not going to get into that a whole  
8 lot. I think that's not a good argument to be making.

9           MR. KING: Yeah. I -- I won't get into it a whole  
10 lot. But Ms. Fluke-Ekren is also trying to find a placement  
11 for her children and doesn't want them to be in foster care,  
12 and wants them in the -- the outcomes of foster care are  
13 oftentimes negative. That's not what she wanted. And I  
14 think maybe I've said enough there and -- with regard to --  
15 you know, she wanted a plan for those children, and that  
16 has, unfortunately, not materialized so they would not have  
17 to go into foster care.

18           But the defendant is also somebody who does have  
19 talent. She has great potential, as reflected in what she  
20 did after ISIS in Syria. She, again, became a teacher. You  
21 know, she set up the school. And she can and will continue  
22 to do these types of work when she has the opportunity to do  
23 so again.

24           And by saying that her childhood was filled with  
25 no struggles, we don't believe that that is an accurate

1 portrayal to the Court. She became a teenage mom when she  
2 met somebody who was 21, and I think she was 15 at the time.  
3 And that's a significant age difference. And it's after,  
4 you know, she drops out of high school because she has  
5 children, and she had mononucleosis at one point. And she  
6 sticks behind her story that she had limited emotional  
7 support from her family.

8 She earned a GED on her own as a teenage mom. She  
9 undertook college on her own, not with any support from her  
10 family. She actually indicates that her father was  
11 surprised that she was actually able to go to college and  
12 earn a degree from KSU. And she went to get her master's  
13 degree without family support on her own, or a teacher's  
14 certificate, which is all reflected in the student debt that  
15 she still owes to this day.

16 She's taught at several schools, including a  
17 school that was in Wichita; the school in Egypt where she  
18 taught; and then later, after ISIS, the school in Syria.

19 The -- and so she does have an ability in which  
20 she -- and she's a great educator, and she also, during her  
21 period of incarceration, has the opportunity to educate  
22 other inmates. That's something that she wants to do, and  
23 certainly will do if given the opportunity.

24 The Government mentions the need for -- or saying  
25 that this is a case which is completely outside the norm and

1 there's nothing that's ever like it. The U.S. Sentencing  
2 Commission did do an analysis in material support cases as  
3 to what the average sentence given was. And it is based on  
4 data from 2017, but there's no indication that it's changed.  
5 It was 157 months.

6 And there was a recent case here that went to  
7 trial -- and I understand that the facts are, you know, very  
8 different -- where the person was -- fought extradition for  
9 years and was finally brought to the Court, pled not guilty,  
10 and it just involved financial support as opposed to being  
11 on the ground in Syria. That person went to trial and, you  
12 know, fought extradition, was sentenced to three years. And  
13 certainly amongst those cases, the other material support  
14 cases, there were many where people, in fact, fought and  
15 committed acts of violence, which she didn't do. And so she  
16 doesn't deserve the maximum sentence.

17 You know, in conclusion, she's somebody who does  
18 have great potential. She is regretful for her conduct.  
19 She pled guilty, she's accepted responsibility. She does  
20 wish to address the Court about -- in her allocution. And  
21 based on the full grown mitigation that we presented and the  
22 position on sentencing, the psychological report that was  
23 attached to that, a variant sentence is appropriate.

24 THE COURT: All right. Well, I'll allow any  
25 victim who wants to be heard at this time.

1                   MR. PAREKH: Yes, Your Honor. Ms. Leyla Ekren  
2 would like to be heard.

3                   THE COURT: All right. For the record, please  
4 state your name.

5                   MS. LEYLA EKREN: Yes. Hello. My name is  
6 Leyla Ekren. Thank you for taking the time today to listen  
7 to me.

8                   I feel like my -- I'm going to vomit out my heart  
9 on this podium.

10                  THE COURT: You need to speak up so we can hear  
11 you.

12                  MS. LEYLA EKREN: All right. I'm really nervous.  
13 I slept, like, three hours last night. I have a nervous  
14 laugh and smile, so I apologize if that comes out.

15                  My goal for this speech is to tell Your Honor a  
16 couple of stories and why they're relevant to Allison aiding  
17 ISIS. I would like Your Honor to keep in mind what you were  
18 like when you were 10 or 15, because these stories will be  
19 around that age range. I'll begin now.

20                  The relevance of these two stories that I will say  
21 right now are the whole reason why Allison wanted to start  
22 the Khatiba, the battalion, is her lust for control and  
23 power. She failed for many years, thanks to my father, but,  
24 I mean, she had to exercise her dark desires somehow, so she  
25 did this by sexual harassment.

1                   A lot of things that came back to memory in  
2 preparation for this court I won't be able to mention  
3 because they came back too late for the other side to  
4 prepare for it. So, I mean, some of it was mentioned in the  
5 letter. Amongst that, verbal harassment.

6                   I -- she didn't -- at times I didn't have  
7 sufficient clothes, so I would be wearing my abaya, which  
8 was like a dress you wear to go outside to cover yourself in  
9 the Islamic State. And sometimes I would have nothing  
10 underneath it, and she would urge me to take it off, knowing  
11 that that was the case.

12                  For most of my life, I have urinated myself during  
13 my sleep. It stopped recently after I was already back in  
14 the U.S. Come to find out, you know, that can be a sign of  
15 sexual abuse.

16                  THE COURT: Let me ask you a question. How did  
17 you come back to the United States?

18                  MS. LEYLA EKREN: So she abandoned me in the City  
19 of Raqqa with my rapist. And then the situation was getting  
20 really bad. Our house got bombed, and so I left with his  
21 family. I then got arrested by the Kurdish military, went  
22 into prison and --

23                  THE COURT: Did you tell them you were an  
24 American?

25                  MS. LEYLA EKREN: At some point I did tell them I

1 was an American, and I was doing interviews with agents.

2 THE COURT: Were you pregnant at that time?

3 MS. LEYLA EKREN: Yes, I was. It sucked.

4 THE COURT: How pregnant were you?

5 MS. LEYLA EKREN: I'm not sure. Maybe I was in  
6 the fifth month.

7 THE COURT: Okay.

8 MS. LEYLA EKREN: Something like that.

9 THE COURT: And then they eventually -- I assume  
10 somebody brought you to the United States?

11 MS. LEYLA EKREN: Yes. After I cooperated, which  
12 wasn't as much as I'd liked because I was in prison with my  
13 rapist's family. So after I would do interviews with the  
14 Americans, I would go back and basically be interrogated by  
15 them. Yeah. So, you know, asking questions like, did you,  
16 you know, rat us out, whatever, whatever. So I wasn't as  
17 helpful. But when I came back, I cleared it up.

18 THE COURT: And you had the baby here in the  
19 United States?

20 MS. LEYLA EKREN: Yes.

21 THE COURT: Okay. All right.

22 MS. LEYLA EKREN: So let's see. So, yeah, as I  
23 was saying about sexual harassment, how did this make me --  
24 made me feel? Very degraded. My entire life. Yeah. I  
25 don't really know how to get into depth on how it made me

1 feel.

2           Another form of torture that she would use on me,  
3 chemical torture. She -- and this is just torture that she  
4 specifically did to me. So she did all sorts of other kinds  
5 of torture to my other siblings, but this is not about that;  
6 this is about what happened to me.

7           Some background. We were in Syria, and we had  
8 lice from being in a village, and so she bought us some  
9 applicant for the lice that was -- it was some strange  
10 off-brand thing. I just remember that when you -- when it  
11 made contact with my skin, it hurt a lot. It was -- it was  
12 very painful. It damaged, you know, the skin at the time.

13           She asked me to apply it to one of my younger  
14 siblings. And I was doing that and he was crying from the  
15 pain, and he was, you know, trying to get it off of his  
16 head. And then he touched his eyes, and then it started  
17 hurting him even more, and he started screaming.

18           And she looked at me, and she told me that I did  
19 that on purpose. And she thought I was, you know, just --  
20 just punishment to -- she put me on the floor -- and how old  
21 was I? Maybe I was 11. Laying on the floor, she got on top  
22 of me, she sat on my chest, and my arms were to my side, I  
23 couldn't move them. And she poured it on my face, and, you  
24 know, held me down there. It was difficult, if not  
25 impossible, to breathe because she was pouring the whole

1 bottle.

2           When she realized what she had done -- she usually  
3 tried to do kinds of tortures that wouldn't show up in front  
4 of other people, but because this was on my face, she  
5 realized that it had a potential to blind me, so she said --  
6 she said we need to wash this out of you so it doesn't blind  
7 you, others can't see that. She grabbed me by my hair  
8 while, you know, my face was still burning and blistering  
9 from whatever this chemical was.

10          And, you know, I -- I was very fed up at this  
11 point. The -- the abuse had been going on for a while now,  
12 so -- and she had been getting away with it. So I wanted  
13 people to see what kind of person she was. I wanted it to  
14 blind me.

15          So she took me to the sink by my hair. She held  
16 me the entire time, and she was trying to pull me to the  
17 water. And I was pulling away, and she would bash it into  
18 the sink. And bash. And I would pull away, she would bash  
19 it into the sink again. And I would pull away, and she  
20 would bash it into the sink again.

21          Finally, I -- I didn't know if it was an active  
22 decision or I just gave up. And she would -- you know, she  
23 made the water situation difficult, too, because, you know,  
24 you can't breathe in water. So she wasn't gently removing  
25 it with water; she was drowning me in the water. That was

1 something.

2           That wasn't enough, though. It went on. She took  
3 me to the other room that had no heating. It was in the  
4 dead winter at the time. And she gave me like a really  
5 light blanket. There was -- it had the warmth of a barn.  
6 The door that went to the outside, there was a big gap, a  
7 lot of the cold air came in from the door and the windows.  
8 And I spent the night there alone, cold, and in pain. I  
9 woke up, my face was all swollen and disgusting.

10           And, at this point, I hadn't spoken to my father  
11 in a while just because I hated him for not standing up to  
12 her. And he knew that, and he was embarrassed to speak to  
13 me. But he came into the room, and because we hadn't spoken  
14 in a while, and because I knew it pained him to speak to me,  
15 and it pained me to speak to him, I knew that she had sent  
16 him in to talk to me. And he opened the Quran, and he  
17 said -- he opened it to a chapter, Maryam, which -- Mary was  
18 what they called me. And he was like you need to be like  
19 Mary. You need to be righteous. Blah-blah-blah. I don't  
20 even remember his point.

21           THE COURT: All right. Ms. Eken, we do have to  
22 move this along; all right?

23           MS. LEYLA EKREN: I apologize. I'll keep --

24           THE COURT: Your letter is part of the record.

25           The only other incident I would like you to talk

1 about, if you can, is this marriage.

2 How old were you when you were married?

3 MS. LEYLA EKREN: 13.

4 THE COURT: And how long were you actually with  
5 this man?

6 MS. LEYLA EKREN: A year, or --

7 THE COURT: Had you --

8 MS. LEYLA EKREN: -- and a half or something like  
9 that.

10 THE COURT: Had you met him ever before you were  
11 married to him?

12 MS. LEYLA EKREN: I met him maybe once or twice.

13 Allison attended the meeting. It was a short meeting, no  
14 longer than 30 minutes or so.

15 She -- my father had died at that point, so -- and  
16 she was in her mourning period, which, in Islam, you can't  
17 leave the house to do anything in that period. So instead  
18 of waiting to get a husband for herself to help her with the  
19 battalion, and instead of being legally obligated to listen  
20 to the husband, she thought why not just give me to some  
21 random ISIS fighter as a sex slave so that she can -- she  
22 can work with him to help her with the battalion.

23 THE COURT: All right. And when you were married  
24 to him, then did you move out of your house with your mother  
25 and move into his house?

1 MS. LEYLA EKREN: Yes.

2 THE COURT: Uh-huh. All right. Thank you.

3 We've got your letter in the record; all right?

4 Thank you.

5 MS. LEYLA EKREN: Okay.

6 MR. PAREKH: Your Honor, there's one more  
7 incident. Specifically --

8 THE COURT: We've heard enough. Thank you. We've  
9 heard enough. All right.

10 Does the defendant wish to make -- is there  
11 another victim who wants to be heard? Yes? All right.  
12 Come forward.

13 MR. PAREKH: And, Your Honor, for the record,  
14 that's Gabriel Fluke.

15 THE COURT: All right.

16 MR. PAREKH: In candor to the Court, he was not in  
17 Syria at the time.

18 THE COURT: Well, the only evidence that is truly  
19 relevant to this case is conduct that went on in Syria. If  
20 you had communications with the defendant while she was in  
21 Syria and statements were made that you want the Court to  
22 consider, that's fine. But the other situation, I'm not  
23 going to hear; it's not relevant.

24 MR. GABRIEL FLUKE: Yes, Your Honor.

25 THE COURT: Can you take off your mask so we can

1 hear you.

2 MR. GABRIEL FLUKE: Oh, my apologies.

3 I did have a very small amount of communication in  
4 2014 --

5 THE COURT: All right.

6 MR. GABRIEL FLUKE: -- with my mother as she was  
7 trying to lure me to come over there. I believe that that  
8 email is in the record. I did give it to -- right here. It  
9 is dated Friday, 25th April 2014. It is the end of a series  
10 of correspondence I had with her as she was attempting to  
11 get me to move over there, because she believed that I had  
12 information that might compromise her if I stayed here in  
13 the U.S.

14 In it, I end the correspondence by saying: Every  
15 single year of my life, you made me give up everything just  
16 so you could go off on your next adventure. Piece by piece  
17 you took away every friend and family member I had. Just so  
18 I could try to stay with my brothers and sisters, not  
19 because I loved you, but because if I didn't take the blame  
20 for what they did, you would beat me instead of them.

21 She was attempting to hold my siblings over me,  
22 particularly by referencing an incident in which one of my  
23 brothers had both of his arms broken as a threat of what  
24 might happen to my siblings if I did not come, but I  
25 refused.

1                   According to my sister, and based on previous  
2 incidents, she was going to attempt to be rid of me so that  
3 I could not help the U.S. Government in eventually finding  
4 her. Unfortunately, I failed to get any attention, as I was  
5 a pretty stupid child, in preventing what happened to my  
6 siblings from happening.

7                   THE COURT: All right. Thank you.

8                   All right. Mr. King, I believe you said your  
9 client wants to allocute.

10                  MR. KING: Your Honor, we would ask for a very  
11 brief recess, perhaps five minutes to consult with our  
12 client prior to the allocution.

13                  THE COURT: All right. All right. We'll take a  
14 five-minute recess.

15                  (A brief recess was taken.)

16                  THE COURT: Mr. King.

17                  MR. KING: Yes, Your Honor. Ms. Fluke-Ekren would  
18 like to allocute to the Court, Your Honor.

19                  THE COURT: That's fine. Yes, ma'am.

20                  THE DEFENDANT: Your Honor, I would like to say  
21 that I am absolutely shocked and horrified about some of the  
22 accusations that were made today. Since I read the  
23 Government's filing, I've been unable to eat or sleep. I  
24 emphatically deny any claims that I abused my children in  
25 any way. These claims are so outrageous and incredible, and

1 I would just like to point out that there's no evidence in  
2 support of these claims.

3 For example, my children all attended the same  
4 pediatric office in Kansas from 2001 to 2010, and there was  
5 never a report made by these pediatricians of abuse or  
6 neglect or mistreatment. I used to take my kids to my  
7 parents for weekend visits at least monthly and on extended  
8 holiday visits. The older ones visited their dad every  
9 other weekend and were involved with his parents as well.  
10 They attended school, and no teacher ever made a report of  
11 abuse or neglect or mistreatment.

12 We all lived with my dad for a year and a half.  
13 My brother-in-law lived with us for two years while he was  
14 going to school in the U.S. Every summer after moving  
15 overseas for the first three or -- three years, I think,  
16 that we lived overseas, we spent at least a month with my  
17 family in Kansas and another month with Volkan's family as  
18 well. These kids were, by no means, isolated and, yet,  
19 there is not one report of mistreatment.

20 Even in my 2002 divorce and all of the subsequent  
21 proceedings in Kansas, there's not one mention of  
22 misconduct. Additionally, my younger children have been in  
23 CPS custody here in Virginia for nine months, and there have  
24 been no allegations of abuse or mistreatment or anything  
25 other than the fact that I've been incarcerated in any of

1 those proceedings.

2                   In the last few weeks since reading these  
3 disgusting accusations, I've asked myself over and over why  
4 they would say these things. And all I can think of is my  
5 2020/2021 conversations with Leyla -- some of which were  
6 played here today -- in which she made many similar  
7 accusations against her older brother, Gabe, saying that she  
8 was forced to sleep in the closet, that she was physically  
9 and emotionally abused, that she was kept a prisoner in the  
10 house, that she had her daughter forcibly taken from her.  
11 All of these statements are in the conversations that were  
12 recorded that I had with Leyla.

13                   She told me at that time also in these recorded  
14 conversations that her brother hated me and that he would  
15 torment her by threatening to harm me, and that he would  
16 blackmail her with videos that he kept specifically for that  
17 purpose. These conversations are present in the  
18 Government's evidence for your reference.

19                   So is she really being abused now or coerced into  
20 making these new allegations, or were those untruths, which  
21 are strikingly similar to the new and heinous accusations  
22 against me, also lies? I will probably never know, but I do  
23 know that these new and disgusting accusations and abuse  
24 against me are absolutely not true in any way.

25                   It is also shocking to me the way that the

1 Government has brought these allegations. In their recent  
2 filings, the Government almost sets aside the criminal  
3 conduct and focuses extensively on these allegations, which  
4 were never mentioned in tens of interviews over five years.

5                 The prosecutor claims that this is somehow normal  
6 for abuse survivors; however, that doesn't make sense at all  
7 in this case. Those making these allegations, Leyla,  
8 specifically, has been cooperating fully for more than five  
9 years. Leyla especially gave testimony that is almost the  
10 entire foundation of the criminal conduct in my -- in the  
11 statement of facts.

12                 If she said all of these things, if she gave all  
13 of this testimony about what happened in Syria and my  
14 conduct previously, why did she leave out all of these  
15 horrible accusations? She wasn't shy about blaming me. She  
16 wasn't shy about saying that I did wrong things. Why is it  
17 that none of these abuse accusations came up until September  
18 of this year?

19                 Also, why did none of these new allegations come  
20 up in the extensive investigation until mere weeks before  
21 sentencing? It simply doesn't make sense. Why is the  
22 Government so drastically shifting the focus at the last  
23 hour to -- it just -- it seems to me far too sensational to  
24 be fitting for a federal court.

25                 I would like to address this narrative that I

1 somehow radicalized Volkan or somehow compelled him into  
2 terrorism. It's simply not in accordance with the facts. I  
3 was in Egypt, living in Egypt and working in Egypt, and we  
4 separated. He went to Libya by himself, and I stayed in  
5 Egypt. How could I have forced him to go to a completely  
6 different country and do whatever it is that he was doing  
7 there? I stayed in Egypt from May to December while he was  
8 in Libya until he came. And, according to witnesses, when  
9 he came -- we had separated, we had divorced, and he came  
10 back to Egypt, and then we abruptly left. So this is much  
11 more indicative of him doing what he wants and then coming  
12 and grabbing me and taking me along.

13 As far as what happened in Libya, I was at home  
14 asleep and Volkan brought this box from the consulate. I  
15 had no knowledge of the attack before it happened. I didn't  
16 even know there was a consulate in Benghazi until he woke me  
17 up with this box.

18 Obviously this is conduct that he did by himself  
19 and that I certainly did not compel him to do that. I left  
20 Syria -- the first time that we entered Syria, I left Syria  
21 after less than two months while he stayed there, and I  
22 lived in Turkey for almost a year all by myself. But Volkan  
23 didn't come with me. I was not controlling him. I was  
24 multiple, multiple times trying to separate myself from him,  
25 trying to not even be in the same country as him. It is

1 simply not reasonable to suggest that I forced him to do  
2 what he did. I was at home with the kids almost all of the  
3 time.

4 In terms of my comments and this conversation that  
5 I had with Leyla, I'm really taken aback at how these  
6 comments were taken out of context. As I just mentioned in  
7 these conversations that I had in 2020/2021, I hadn't talked  
8 to Leyla for three years, and I had no idea what had  
9 happened to her. And when I said that I was on my knees  
10 begging Abu Mariam to stay, I just want to point out to the  
11 Court there are some real contradictions between what Leyla  
12 is saying that I forced her to marry a rapist, and the fact  
13 that I left Raqqa. My husband and my children and I were  
14 leaving Raqqa. We were not staying there for the fight. We  
15 didn't want to be there. We were not trying to fight; we  
16 were trying to leave this battle. And I went to Leyla's  
17 house where she --

18 MR. PAREKH: Your Honor, this is --

19 THE DEFENDANT: I went to Leyla's house, and I  
20 begged her, I literally begged her to come with me, and she  
21 refused. And so when Abu Mariam was going to leave Raqqa, I  
22 was begging him that we could stay to try and get Leyla to  
23 come with us. And then I told him, okay, you take the kids  
24 and go; I'll stay here. And then, in reality, what  
25 happened, Abu Mariam took me and my kids out of Raqqa, and

1 he, himself, came back to try to convince Leyla to leave.

2 So these conversations that I was having with  
3 Leyla in 2021 and 2022 -- the end of 2020 and 2021, she's  
4 telling me that she's being mistreated. She was telling me  
5 that she's being abused. She was telling me that her  
6 brother slammed her hand in the door and broke it. All of  
7 these are in the recordings.

8 The overarching topic of all of these  
9 communications was how horribly she's being treated. And I  
10 did not pressure her to come back to Syria. I asked her. I  
11 said, Leyla, what do you want to do? What's the solution?  
12 What's the way out? It even went so far that I contacted a  
13 domestic violence shelter in Wichita, Kansas and made  
14 arrangements for Leyla to be able to go there. This is the  
15 context that we were having these conversations in. And all  
16 of these are present in these conversations.

17 One other thing I would like to point out is  
18 there's a striking absence of my son, Nael, in both the --  
19 he's my adult son as well -- in both the PSR and in the  
20 victims.

21 The Government is fully aware of his whereabouts  
22 and his phone number, because I talk to him almost every day  
23 on the phone. Yet, he told me last week -- and I asked him  
24 on two different occasions, two days -- that he had not been  
25 informed that he had a right to speak today as a witness.

1                   The PSR and the Government's arguments rely  
2 heavily on people that I have had little to no contact with  
3 for over a decade, but blatantly ignores my son who lived  
4 with me for the entirety of the conduct.

5                   So I've been in jail now here for nine months.  
6 And, since that time, I have been thinking daily about what  
7 I would say to you today -- excuse me. I'm sorry -- and I  
8 couldn't come up with anything. About two months ago, my  
9 six-year-old daughter, she told me, mommy, when are you  
10 going to tell the Judge your story so you could come home?  
11 I guess maybe, you know, the people at CPS explained to her  
12 that I would come and talk to you and you would decide what  
13 would happen.

14                  So as I was thinking, all I could think about was  
15 her advice. So I would like to tell you my story, but I  
16 want to preface by taking full responsibility for my  
17 actions. There were many forces outside and pressures  
18 outside of my control, but I accept that my actions are my  
19 decision alone; however, the reality is no one lives in a  
20 vacuum.

21                  I am, first and foremost, a mother. A vast  
22 majority of my time -- a vast majority of my time has always  
23 been spent taking care of my children. As the Government  
24 notes -- as the Government notes in the statement of facts,  
25 repeatedly, I always traveled among others, and that would

1 be my children.

2                   The criminal conduct in my case began one morning  
3 when I was woken to my husband bringing a box into our  
4 bedroom. He asked me to take a look through it, and as I  
5 looked through the documents, I realized they were from the  
6 American consulate, and I was horrified. I would like to  
7 mention that I had no idea about this attack prior to its  
8 happening and that I was not a voluntary participant.

9                   At that moment, I realized that I was now involved  
10 entirely unwittingly in a shocking event, and I did not know  
11 what to do. My fingerprints were on the documents, and I  
12 saw no way to deal with this terrifying situation without  
13 destroying my family and possibly serving a long prison  
14 sentence for something that I wanted nothing to do with in  
15 the first place. So I argued with my husband, and he took  
16 them away.

17                  THE COURT: Well, you know, that's inconsistent  
18 with what you admitted to in paragraph 3 of the statement of  
19 facts. There you said you assisted your second husband with  
20 reviewing and summarizing the contents of the stolen U.S.  
21 Government documents. The stolen documents, an electronic  
22 device, along with the summaries that you helped prepare  
23 were ultimately provided to the leadership of --

24                  THE DEFENDANT: Yes.

25                  THE COURT: Yes.

1                   THE DEFENDANT: Yes, Your Honor. Yes, I did. I  
2 read through them, and we discussed what was in them. And  
3 in the process of this argument, he made a summary, and he  
4 did return those. That's -- all of that is true.

5                   But it wasn't in a context of me wanting this  
6 event to happen or me planning this or me having really very  
7 much agency in this process.

8                   THE COURT: Well, it's called an accessory after  
9 the fact in the criminal justice system.

10                  THE DEFENDANT: So after this event happened,  
11 after this, I began to try to convince Volkan to leave Libya  
12 and to go to Turkey. He finally agreed to move.

13                  And Number 4 of the statement of facts, Leyla said  
14 that I went to Syria for Jihad. But I just want to point  
15 out that she was nine years old at the time and did not  
16 understand the situation or the adult conversations. We  
17 were discussing our views on religion, on Jihad, and we're  
18 both religious people. And I won't stand here and say that  
19 I don't -- that I didn't believe in some of the tenets of  
20 Islamic law or -- and that I do believe that these tenets of  
21 Islamic law, if they were ever to be lived in a peaceful and  
22 true way, then I believe that that would be a good form of  
23 government; however, Leyla at that time was not part of  
24 these conversations, and she could not have understood all  
25 of the details.

1                   So -- but I just would like to point out that  
2 actions speak louder than words. And when we did go to  
3 Syria, Volkan -- I stayed there a very short time, and then  
4 Volkan stayed there alone, while I left and I went back to  
5 Turkey, and at that time I tried -- I did try to come home  
6 to America.

7                   During this time when I was -- so Leyla became  
8 sick, and we came to Turkey, and we lived in Turkey, the  
9 children and I. I lived with my children happily in Turkey  
10 for almost one year, and it was a really joyful time for all  
11 of us.

12                  It was just the children and I, and when my twins  
13 were born -- I was pregnant -- I decided that I needed to  
14 get away from Volkan and come home, and I wanted to start  
15 over. So I went to the American Embassy to get passports  
16 for my babies, but they refused to issue them without  
17 Volkan's consent.

18                  I was interrogated at that time about Volkan's  
19 activities, and I became terrified and felt even more  
20 trapped. I feared for my children if I was put in prison,  
21 and I did not see a way out of my situation.

22                  Some months later, Volkan showed -- about  
23 six months after this, Volkan showed up and told me again  
24 that I could come or -- come with him to Syria or stay, but  
25 that he was taking the children. And I see how weak I was.

1       But, at the time, I was afraid of his criminal conduct and  
2       it would spill over on me. I was afraid of what I had done  
3       in Benghazi. I was afraid that if both of us went to jail,  
4       who would take care of my children. And, in reality, if I  
5       would have spoken up at that time, I would have been  
6       standing probably here in this courtroom ten years ago. And  
7       I just didn't see a way out.

8                   So about six months after I had gone to the  
9       embassy and tried to get passports, Volkan showed up, and he  
10      told me again that I could stay or come with them, but he  
11      was going to take the kids to Syria.

12                  I had these six children, and I was living in a  
13      foreign country where I didn't speak the language fluently.  
14      I was afraid of Volkan, and I was terrified that he would  
15      take my kids and I would lose them in Syria forever, and I  
16      didn't see a way out.

17                  I would like to address the statements that were  
18      made about attacks in America. And people would show  
19      videos -- I didn't have these, actually, and I didn't even  
20      have a phone at that time of my own. But people would show  
21      videos of attacks, you know, like in group settings. And  
22      then there would be discussions, you know. And I often was  
23      horrified, and I even encouraged my children not to watch  
24      such videos. I didn't allow it. I didn't -- we didn't have  
25      the phone in the -- me and the kids didn't have a phone.

1 This was not something that I encouraged.

2           But people would come, and people would -- other  
3 ISIS members would make comments about, you know, praising  
4 these attacks. And I would say things -- it's not even --  
5 it's not -- I specifically remember saying that it wouldn't  
6 even be that hard. You just take some bombs and put them in  
7 a trashcan in a mall. And the context I was saying that in  
8 is that it's not something praiseworthy. It's -- I -- I  
9 don't find that killing random people in any place,  
10 anywhere, even in a war zone, is something that's  
11 praiseworthy.

12           In addition, I did, many times -- and I fully  
13 admit -- make statements in reaction to the horrors of war  
14 and collateral damage. And I think that that's something  
15 that we can all relate to. And I think, you know, people  
16 looking at the horrors of the war in Ukraine right now will  
17 say many things about Russians or Russia or Putin. I'm sure  
18 that -- you know, after 9/11, I heard -- and many people  
19 make threats, and these are statements that are made -- you  
20 know, they should pay or suffer somehow, whoever "they"  
21 happens to be.

22           And I just want to say that no one can understand  
23 the actual horrors of a bombing unless they've walked  
24 through its aftermath. And, like, if -- I mean, we all know  
25 how horrified we were when we saw what happened on

1 September 11th. But what I felt in Kansas is nothing  
2 compared to what people felt in New York, or even here.  
3 Because when you see the actual horrors of murder for no  
4 apparent reason, it's a completely different thing. No one  
5 can understand the horrors of a bombing unless they've  
6 walked through its aftermath and you see entire walls of  
7 buildings torn off to reveal people's living rooms,  
8 bedrooms. You see the pieces of people's homes and lives  
9 strewn about violently, unnaturally in the street.  
10 Clothing, toys, beds. You can see the blood on the  
11 mattress, and you know that someone was sleeping, just  
12 sleeping there when a bomb fell and killed them.

13 I knew shopkeepers who were killed. Innocent  
14 Syrians who had nothing to do with anything, they just  
15 wanted to live their lives. My children played with some of  
16 the children who died.

17 Anyone who has seen that would be angry, and they  
18 should be angry. We should all be angry about senseless  
19 violence and killing, no matter where it happens, no matter  
20 who the victims are; however, over time as I lived in the  
21 war, I realized that all sides in any war drop bombs and  
22 kill innocent people. There's no right side to war and this  
23 violence; there isn't. I've come to see violence, whether  
24 perpetrated by terrorists, by Russia, even the United  
25 States, is not an answer.

With regards to my involvement in Iraq, Number 11  
and 12 in the statement of facts, what I -- one day I was at  
my daughter's school, and a woman came to the school office  
asking for help. I was actually upstairs in the daycare.  
She spoke no Arabic and was a widow living in a widow's  
guest house and was having trouble with the ISIS  
administration. Because I could communicate with her, and  
at that time I spoke passable Arabic -- and, actually, Leyla  
helped me because she was fluent in Arabic -- I met with her  
and the official in charge of their guest house and tried to  
help her revolve her issues with food, housing and custody  
of her son by translating and by advising them, this  
official help, because they were not treating her well. It  
was not a job, and it was a one-time meeting. While the  
statement of facts is literally true, I feel it gives an  
exaggerated impression of what really happened.

The bulk of what I -- the work that I actually did  
in Syria spans over about eight months beginning in October  
of 2016 until about May of 2017.

The first thing is personally and not financially  
supported by ISIS in any way, or directed by ISIS in any  
way. Although I did have to have ISIS approval to open the  
Women's Center, it was a private venture. And it lasted  
about four months from October until -- of 2016 until  
February of 2017, the beginning of February.

1                   We opened it, and when we opened the Women's  
2 Center, we had -- it was meant to be a community center, and  
3 that's, in fact, what it was. We had three divisions within  
4 the Women's Center. There was a health division where there  
5 were doctors and midwives and nurses that spoke a variety of  
6 languages. They were able to service foreigners who could  
7 not communicate in Arabic and had a really hard time getting  
8 their health needs taken care of. We had an education  
9 division, and I was personally responsible for that. We had  
10 a preschool. We had language classes, we can cooking  
11 classes. There was a CPR class. There was aerobics. And  
12 that was the education division in the Women's Center.

13                 Additionally, there was another woman who had a  
14 social services division, which was another major issue that  
15 people were facing in ISIS. There were many foreigners who  
16 couldn't speak. And so -- for example, like this woman in  
17 the -- in Iraq that I helped who were women who were being  
18 oppressed in the Women's -- in the Widow's Bureau, and they  
19 were not able to communicate, so we did translation, and we  
20 did social services for these -- in these cases. That's  
21 what the Women's Center was, and that's what it was most of  
22 the time it was open only these four months.

23                 Towards the end, it became clear that there was an  
24 imminent attack by the PKK forces on Raqqa. And in this  
25 imminent -- their bombings became overwhelming. There were

1 bombings every day, mostly on civilians, and mostly innocent  
2 Syrians who were from Raqqa and had no reason to be killed  
3 by any side. And women and children, many children, who  
4 should never be victims of war.

5 So we developed a three-day program, and the first  
6 day was like survival training kind of. So people would  
7 lose their homes and their water sources and their gas  
8 sources, so we were talking about how to cook, cooking using  
9 a pressure cooker. Just basically like -- almost like  
10 camping, basically. That was the first day. It was about  
11 survival in a war zone.

12 The second day was self-defense. And we taught in  
13 that how to use -- how -- we didn't even shoot a gun; we  
14 just taught. And I did -- I fully accept, and I do not deny  
15 the statement of facts that I did train people about suicide  
16 belts. But the entire training that I gave on suicide belts  
17 was to explain the range to tell which one was C-4 and which  
18 one was TNT, so that -- because C-4, if I remember right,  
19 explodes on impact. So if you give it a good impact, it  
20 will explode. And I was trying to explain to people to be  
21 more careful with their weapons and how the mechanism  
22 worked. This was -- that was the extent of the training.

23 I have never seen a suicide bomb explode. I've  
24 never exploded one. Personally, I know no women who have  
25 ever exploded one, or a grenade. And that was also the

1 entirety of the training I gave in grenades. This is a  
2 grenade, this is how you pull the plug, please don't do so  
3 in a small room, you'll kill your children. This was the  
4 extent of the training, as well as how it could be used if  
5 someone was actually trying to invade their home. That, I  
6 did tell, and the range. So this was the extent of the  
7 training on suicide belts and grenades that I ever gave  
8 or -- Khatiba Nusaybah, or at the Women's Center that we  
9 gave to anyone.

10 In terms of the gun, a large part of what we  
11 talked about was safety, because these were women, and there  
12 were many, many accidents, horrible accidents, where  
13 children, unfortunately, would get ahold of weapons that  
14 people carelessly left around their house and would have  
15 horrible accidents.

16 I particularly remember around this time when we  
17 decided to start doing this training that I was having tea  
18 at a friend of mine's house. And maybe there were about  
19 five of us, and we were sitting there in her apartment, and  
20 we heard a gunshot. And then we heard screaming. And we  
21 run out the door, and it's the neighbor's house. And she's  
22 carrying this five-year-old little boy. Blood is dripping  
23 everywhere. So she's standing there in the hallway just  
24 screaming. I mean, we didn't know what to do. And her 10-  
25 or 11-year-old son is standing there behind her just

1       absolutely silent. The little boy died. And the tragedy is  
2       that it was his older brother who shot him. And I just  
3       can't imagine this mother's pain. Like, because she lost  
4       both of her sons in the same day, because how could she ever  
5       feel -- I mean, every time she looked at her older son, she  
6       saw the person who killed her younger son. And these were  
7       tragedies that really happened all the time.

8                  And I understand ISIS is a terrorist organization,  
9       and I understand -- and I accept that they did many violent  
10      attacks in which innocent people died, but neither do these  
11      children deserve to die because their parents were being  
12      stupid and careless with weapons, and I couldn't just ignore  
13      this. And I felt like I was able -- I mean, I'm a teacher,  
14      and I care about children, and I care about families, and I  
15      couldn't just ignore this situation.

16                 There was many, many examples. Another person  
17      that I personally know, the child took a grenade and threw  
18      it at his mother, and his mother died. These are -- I  
19      personally know these two examples. And there were many,  
20      many, many more. And I felt like something needed to be  
21      done about this.

22                 And I also felt that people had a right to defend  
23      themselves. In Syria, it has been documented that there are  
24      untold violence against women and children. And the  
25      prosecution would like to crucify for me for training 13-,

1 14-years-olds how to use a gun. But I would answer to that,  
2 that when one of Bashar al-Assad's soldiers, or two or five  
3 are breaking into a house and they see a young girl, and  
4 Leyla's been this tall since she was 12, almost this tall,  
5 they're not going to ask her how old are you? Are you 18?  
6 The right and the need to defend themselves was real in that  
7 situation, and it was horrifying.

8 And I personally know at least 20 women and girls  
9 who were raped violently in this war. And it's something  
10 that no woman should -- sexual violence is not okay in any  
11 circumstance, and women have a right to defend themselves.

12 THE COURT: Well, you know, you mentioned the word  
13 rape, and your daughter did as well.

14 Do you dispute that you allowed her to marry at  
15 the age of 13 somebody who she did not know?

16 THE DEFENDANT: She was a few weeks away from 14,  
17 Your Honor. And I --

18 THE COURT: That doesn't make much of a  
19 difference.

20 THE DEFENDANT: No, she -- I don't dispute that.  
21 She did get married when she was that age.

22 THE COURT: And did you arrange the marriage?

23 THE DEFENDANT: I mean, somebody came and  
24 proposed, and I told her about it, and she sat and met with  
25 him, which is the Islamic custom. And that's how I got

1 married. I met with him in a meeting, and then we got --  
2 and this is very common in the Arab world and in many parts  
3 of the world.

4 And, in fact, she agreed after the first meeting.  
5 And I was very upset, and I told her -- I was crying, and I  
6 told her, meet him again, make sure, make sure. And she  
7 did. And I very much -- I mean, she -- it was her decision.  
8 I never forced her.

9 THE COURT: That's not consistent with the  
10 statement of facts.

11 THE DEFENDANT: About the marriage?

12 THE COURT: Where's the -- what paragraph is that?

13 THE DEFENDANT: To my knowledge, Your Honor, the  
14 marriage is not in the statement of facts.

15 MR. PAREKH: Your Honor, it's not in the statement  
16 of facts. Leyla was 13 years old. Her father just died.  
17 Fluke-Ekren was her only parent and to say --

18 THE COURT: Right.

19 MR. PAREKH: -- it was her decision to --

20 MR. KING: Your Honor, this is the defendant's  
21 allocution.

22 THE COURT: All right. Let the defendant finish.

23 MR. PAREKH: Your Honor, what she's saying,  
24 though --

25 MR. KING: Your Honor, this is --

1                   THE COURT: No. Let the defendant finish. We  
2 need to wrap this up.

3                   THE DEFENDANT: After my work at the Khatiba -- at  
4 the Women's Center, I was asked to help with the Khatiba.  
5 And as you saw, the document that the Government presented,  
6 I would just like to point out that this document placed --  
7 the first document that he showed, this document placed the  
8 Women's Center under the (in Arabic), which is the office  
9 for the prisoners and the -- and the --

10                  THE COURT: Well, it says to the members of the  
11 Detainees and Martyrs Center.

12                  THE DEFENDANT: Yes. "Detainees," meaning it's  
13 for the wives of the prisoners, and the wives of the people  
14 who've been killed. The wives of the martyrs.

15                  Actually, if you were a man, you couldn't be under  
16 the (in Arabic). This office was for widows and for the  
17 wives of prisoners. And it was not part of the military  
18 operations of ISIS in any way. It was -- they distributed  
19 the salaries, they ran the guest houses. That's what this  
20 office was for. And that was the office that they put the  
21 Khatiba under because it was never meant to be an offensive  
22 branch. It was never meant to be -- and Leyla made the same  
23 statements previously in other testimonies and other  
24 interviews that it was never going to be an offensive unit.

25                  THE COURT: But you understand you can give

1 material support to a terrorist organization without it  
2 being part of the offensive element?

3 THE DEFENDANT: Absolutely, Your Honor, and I'm  
4 not denying that.

5 THE COURT: All right.

6 THE DEFENDANT: I just want to tell you my story.  
7 I want to tell you what happened, and I want to give the  
8 context for why these things happened and how they happened.

9 So when I was asked to do -- to work on the  
10 Khatiba, it was basically this three-day training that we  
11 had done, but with more -- with some practical application  
12 of the self-defense training. And I did this work for about  
13 four months. And, all together, in this capacity over this  
14 eight-month period, I trained about -- I would guess about  
15 100 people.

16 But the Khatiba was not -- it was not something  
17 offensive. There were babysitters. Out of the people who  
18 were working in and with the Khatiba, there were  
19 babysitters, there were cooks, there was a group of people  
20 who were trained as nurses, as emergency responders because  
21 of the increased bombing and violence that was happening.  
22 And this was the work that we were doing in the Khatiba.

23 To summarize, I would just respectfully like to  
24 refer back to the actual conduct that's in the statement of  
25 facts, and that it includes what happened in Benghazi, which

1 was my unwitting and not planned examination of the  
2 documents that were brought from the U.S. consulate in  
3 Benghazi. This conduct lasted a few hours.

4 That I traveled to and lived in Syria. Although  
5 my -- the evidence clearly shows that I went to the U.S.  
6 embassy and that I tried to get passports and that I was  
7 trying to get out of my situation. Additionally, the  
8 conduct does include various statements that I made in times  
9 of extreme sadness, fear and horror at the hundreds of  
10 innocent people being killed in bombings, which I never  
11 acted on in any way.

12 The conduct also includes a conversation that I  
13 had to translate and assist a woman who was having problems  
14 in an ISIS widow's home. My work at the Women's Center for  
15 four months from October 2016 to January -- the end of  
16 January 2017 and my work for the Widow's Bureau on Khatiba  
17 Nusaybah for four months from February to May of 2016.

18 The statement of facts only describes a few months  
19 time out of seven years that I was in Syria. I was a mom  
20 raising my children. I homeschooled my children, and I  
21 always opened my home to neighbors because schools were not  
22 functioning. At times I taught 40 kids in my home. A vast  
23 majority of my time was spent cooking, cleaning, taking kids  
24 to doctors and putting antiseptic on scraped knees and  
25 mediating sibling disputes.

1           I didn't do all of this because I wanted to be a  
2 terrorist. I didn't teach preschool, start the Women's  
3 Center or even work for the Khatiba because I supported  
4 ISIS. I began and continued my work for women and children  
5 because I saw a real need in the community. Kids were  
6 injured and killed on a weekly -- kids were injured on a  
7 weekly basis because these weapons were not stored safely in  
8 homes. Weapons were reality in every single home in Syria.  
9 And Syria is -- was and still is a dangerous war zone where  
10 war crimes are not uncommon.

11           In addition to the accidental deaths that were a  
12 regular occurrence, there were many acts of sexual violence  
13 and war crimes perpetrated by all sides in the war. What  
14 are innocent people supposed to do when they're faced with  
15 this unimaginable threats? In war, all sides cause civilian  
16 collateral damage, rape and murder.

17           Rape and murder are, unfortunately, a part of the  
18 violence that is a cancer for humanity. Violence and  
19 oppression breed violence and oppression. In any war,  
20 Ukraine, Tigray or Syria, do we blame women for learning to  
21 use a weapon to defend themselves or their children against  
22 rape or murder? These are real questions, real problems  
23 faced by thousands of innocent women and children around the  
24 world. I, for one, do not know the answer. I deeply regret  
25 my choices, but I also deeply sympathize with innocent women

1 and children victims of rape in Syria, mass murder in  
2 Ukraine or school shootings in Texas.

3 I have been thinking about ways to use my  
4 experiences as a voice against war, violence and extremism.  
5 I'm not sure how that's going to look, but I hope to start  
6 with my children by teaching them that my building peace and  
7 understanding, we can live in a more just and safe world for  
8 everyone. I turned myself in to authorities when no one had  
9 found me, and I was under no threat or duress. I talked to  
10 Leyla for the first time in the end of 2020 and beginning of  
11 2021, and she was telling me all these horrible things were  
12 being done to her and how she was suffering.

13 There was one call where she was just crying over  
14 and over and calling herself horrible names and saying I  
15 don't deserve a mom like you. I was worried about Leyla.  
16 And these conversations where I was asking about the FBI and  
17 whether I was wanted and what Leyla knew, I was trying to  
18 understand the situation so that I could make a reasonable  
19 decision about what I was going to do.

20 I felt like Leyla needed me, and I wanted to be  
21 there for her, which sounds pretty crazy considering what  
22 she's recently said. But what she's very recently said is  
23 vastly different than what she was saying before.

24 In this case, I pled guilty and did not challenge  
25 the charges against me. My case has been publicized

1 worldwide, and, therefore, it will be an example. On the  
2 one hand, if my sentence is long, it will show that the U.S.  
3 is harsh on terrorism. But that is already a  
4 well-established fact; however, if my sentence allows me to  
5 still care for my children, it will show something more  
6 important and more beneficial in the war on terrorism. It  
7 will show people like me who wanted out but were fearful of  
8 such long prison sentences and the damage done to their  
9 children by losing both parents, that there is an  
10 alternative, and there is a way out of groups like ISIS.

11 I also feel that my case may become propaganda  
12 that terrorist groups could use to prevent the thousands of  
13 women and children worldwide from getting out of violent and  
14 dangerous situations.

15 If these women do not see a way out, that will  
16 only serve to pull them deeply into extremist mentalities.  
17 I'm not advocating clemency, I'm not asking for this Court  
18 not to punish me. But, rather, I'm asking and I'm  
19 advocating for viable pathways which allow affected women to  
20 truly transition back into society.

21 I would like to say to my daughter, Leyla,  
22 although -- I would like to say to my daughter, Leyla,  
23 although I'm heartbroken by the horrific false accusations  
24 that you made about abuse, I love you, and I'm truly so  
25 sorry for your pain. I really should have done better. I

1 hope that you can forgive me for what my actual mistakes  
2 really were. God is forgiving, and God is merciful, and I  
3 love you, Leyla. And my door and my heart will always be  
4 open to you, and I pray for you every day, and I hope that  
5 you can move past your hurt and live a life that you can be  
6 proud of.

7           And to anyone who has been harmed by my actions, I  
8 ask forgiveness. I cannot change the past, but I can only  
9 work to be a better person in the future. I hope sincerely  
10 for a more peaceful world for all people. I would like to  
11 offer to this Court reasons why I feel that I'm not a threat  
12 at this time.

13           First of all, I voluntarily turned myself in. I  
14 had a good job in Syria. According to Syrian standards, I  
15 made a lot of money. I was well known in the community. I  
16 had a school. I was training teachers. I was working with  
17 other schools to train teachers. I did not have a need to  
18 turn myself in.

19           Secondly, I did not propagate on social media.  
20 All my actions were localized responses to the situation  
21 that I was actually living in. I never spread propaganda.  
22 I didn't encourage people in other places to join fighting,  
23 to do any kind of terrorist acts.

24           Third, my son, who is not here now, he lives  
25 overseas still, he lives in Turkey. I sent my son out of

1 Syria rather than allow or encourage him to join ISIS. This  
2 is something that, if I was the person that they're saying  
3 that I am, that I'm so committed to violence and terrorism  
4 and extremism, it doesn't make any sense that I would send  
5 my son to his family in Turkey to get an education when he  
6 was old enough that he could theoretically have gone to  
7 fight. This simply doesn't compute with the picture that  
8 they're trying to paint.

9 I never fought myself. If I was so interested in  
10 Jihad and I wanted to commit violence, I never did. I never  
11 committed any violence. I never shot or fired one bullet in  
12 any kind of a fight, nor, to my knowledge, did anyone whom I  
13 taught the use of weapons.

14 I lived in Syria for two and a half years after I  
15 left the -- after I was able to leave ISIS, where I worked  
16 hard for the benefit of the community by establishing two  
17 schools and a training teacher, and I was no danger there.  
18 The only thing that -- so I was no danger there in Syria.

19 If -- in that still unstable sectarian situation  
20 where there were many different groups and ISIS was still  
21 active, if I was such a committed terrorist, as the  
22 Government is trying to portray me, I certainly would have  
23 continued to do terrorist acts. I certainly -- it was an  
24 easy -- and anybody who wanted to do violence, they had a  
25 way. In a day, you could do whatever you wanted to do in

1 Syria, but I didn't do that. I worked hard in education to  
2 try to better the community.

3 And, additionally, I didn't just try to benefit  
4 ISIS children. The schools that I opened, they were open  
5 for all kinds of children, even people who had supported  
6 Assad who were -- which was responsible for my son's death.  
7 The people -- all of the factions. And many of my very  
8 beloved family members died in this war, and I did not  
9 discriminate or treat these people in any way differently.  
10 I built -- I worked hard to increase the education for all  
11 the members of the community.

12 Another reason that I'm not a threat is the only  
13 thing that I have left to live for is my six small children.  
14 I want to raise them in safety and security to be productive  
15 members of society. I came back to the United States  
16 intentionally for them and for Leyla so that my small kids  
17 could have a better life, and I would not put that at risk  
18 again after all these sacrifices that I have made after I'm  
19 facing 20 years in prison. If I ever get out, I would never  
20 put that at risk again. Another reason I regret my actions  
21 and I made deliberate steps to make amends and to take  
22 responsibility and to deliberately choose the difficult path  
23 to trying to make things better.

24 Number 7, I lived in the U.S. for 29 years without  
25 any involvement with terrorist groups, and I cut my ties

1 with ISIS and with extremism four years ago.

2                  Another very important illustrative example of why  
3 I'm not a threat is, one of the witnesses in this case was  
4 actually a woman who worked with me as an assistant director  
5 from Day 1 until the Women's Center closed, including all of  
6 the military training that we did. Not military. All of  
7 the self-defense training that we did.

8                  This woman now lives in the U.S. with her  
9 children. In fact, after living for several years in the  
10 Syrian camp, she was brought back to the U.S. and not  
11 charged at all. She, along with multiple other women, whom  
12 I personally know from my time in Syria, are living in the  
13 U.S. and were never charged. These women have never  
14 committed any crimes since their return and are an example  
15 for how the U.S. can create pathways out of extremism for  
16 families.

17                  In my legal research, I found that if an inmate's  
18 children -- that if an inmate has children and the caretaker  
19 for those children dies, it is grounds for a Judge to  
20 consider compassionate release. In this case, I would ask  
21 the Court rather for compassionate sentencing, because my  
22 children don't have anyone but me. And I -- and I suggest  
23 that this compassionate sentencing would help not only my  
24 six children, but to potentially many children of other  
25 women who would see a viable way out of extremism.

1                   I respectfully ask the Court to sentence me to  
2 24 months in prison, plus ten years home confinement and  
3 then a lifetime of probation. This sentence punishes me.  
4 It also incentivizes women to turn themselves in to  
5 authorities, which prevents children from growing up in  
6 extremism and becoming terrorists in the future.  
7 Additionally, this sentence gives consideration to the six  
8 small children who are sad and separated from each other  
9 because I did what I thought was right and turned myself in.

10                  I would just like to ask the Court to just take a  
11 look at those pictures. And those pictures of my children  
12 are from when we were in Syria, and that's how we lived.  
13 Not -- we just lived a very normal life. And the pictures  
14 reflect how my children were taken care of and how they were  
15 loved and their health.

16                  Finally, I would just like to read these -- this  
17 is a picture my daughter drew. It's a picture. This is  
18 just like the bus that they picked them up from at the  
19 airport. It says, stop, help. Hey, I'm jacked. And it has  
20 a picture here of a little girl wearing a backpack like the  
21 one that she had when they brought her here. And it has an  
22 X over this child.

23                  This is -- my four-year-old daughter wrote for me.  
24 The only thing she knows how to write is her name and I love  
25 you, mommy. My son wrote me this. He's nine. Dear mom, I

1 wish we were with you. We got to talk -- it says their  
2 brother's name here -- today, and I got to play with them.  
3 He's referring to toys that I sent to him.

4 Another letter that the same son wrote. As-salamu  
5 alaykum -- that's the Islamic greeting -- I love you so  
6 much. I wish I was with you in jail. Are you okay? I'd  
7 love it if I was with you. If I visit with you. I got this  
8 letter just last week from my nine-year-old daughter. I  
9 wish you were with me. Heart. I miss you very much. I  
10 wish you were with me and we could talk more. I love you  
11 very much. Allah will help us. I wish I was with you.  
12 Mom, I love you.

13 My -- other daughter, not the same as these. How  
14 are you doing? It's been so long since I see you. Do you  
15 remember the days we used to go to um imro (phonetic)? She  
16 used to teach us Quran, and she was all our friend. I wish  
17 I was with you again. Please, can I come with you? I love  
18 you. And this one is just love you, mom.

19 Thank you.

20 THE COURT: Well, I would normally not permit this  
21 much discussion of motherhood and raising children in a  
22 criminal case, but this was made as a major mitigating  
23 argument in the defendant's papers, and, therefore, it had  
24 to be addressed. But, as I said in my earlier order in this  
25 case, the defendant was going to be sentenced for what she

1 has admitted to doing, and that is how she will be sentenced  
2 today.

3                   And I am satisfied that a sentence at the high end  
4 of the sentencing guidelines is appropriate. First of all,  
5 I must say, in all candor, that I don't find this allocution  
6 to be wholly credible. It is inconsistent with statements  
7 that you made when you were not under the pressure of facing  
8 justice. You've used the term "regret" several times in  
9 your allocution. You said you regret, you regret. And yet,  
10 in the letter -- I'm sorry, in the conversation you had with  
11 your daughter back in 2021 -- in fact, I think it's one of  
12 the last quotes in the Government's opposition as well --  
13 you say: I might feel sad, but I don't regret what I did.  
14 I think that is a more accurate statement of your true  
15 mindset than what you have expressed today.

16                   I'm also very troubled by the way in which you, I  
17 think, downplayed the impact of the Benghazi situation.  
18 You're obviously a very intelligent woman. You're a very  
19 articulate woman. And I don't accept the argument that you  
20 were somehow an almost passive dupe in the Benghazi matter.  
21 I don't believe there's any evidence you planned it or  
22 participated in it, but, as I've said before, you would have  
23 been, in my view, a knowing and voluntary accessory after  
24 the fact in the extent that you were helping to translate  
25 and summarize those documents. And you admitted in the

1 statement of facts the documents did get into ISIS's hands.  
2 So that is a problem.

3 And then you mentioned that the Women's Brigade --  
4 that's what I'm going to call it -- only existed between  
5 October of 2016 and February or so of 2017. But the  
6 Government began this -- or their -- its allocution with  
7 these two exhibits, Exhibits 1 and 2. Exhibit 1,  
8 apparently, was a letter or a communication October 3rd of  
9 2016, within that time frame. This is the one that you  
10 wrote to the officer in charge of the Detainees and Martyrs  
11 Center --

12 THE DEFENDANT: Your Honor, excuse me. I didn't  
13 write that.

14 THE COURT: I'm sorry. His response to your  
15 request.

16 THE DEFENDANT: Your Honor, I didn't write that  
17 document.

18 THE COURT: Well, whatever it is, it was  
19 apparently related to this operation. And it says: We ask  
20 Allah to make it beneficial for Islam and Muslims.

21 And then, in your letter, which was from you, as I  
22 understand it, right, the one that's Government Exhibit  
23 Number 2? December 2nd of 2016, you say to the Wali: I  
24 require the following --

25 THE DEFENDANT: No, Your Honor, I didn't write

1 that document.

2 THE COURT: Was that not written by the defendant?

3 MR. PAREKH: No, Your Honor. It's at that time  
4 where the defendant is certainly -- when she's admitted that  
5 she's organized and led this Khatiba, but this document  
6 wasn't written by the defendant.

7 THE COURT: But it was written on behalf of that  
8 organization?

9 MR. PAREKH: That's correct, Your Honor.

10 THE DEFENDANT: Prior to my involvement with it,  
11 Your Honor. I was running the Women's Center at that time.

12 THE COURT: This was December of 2016.

13 THE DEFENDANT: Yes, Your Honor. I was running  
14 the Women's Center.

15 THE COURT: But the Women's Center becomes part of  
16 that group.

17 THE DEFENDANT: If you'll note, Your Honor, the  
18 other document is the end of January 2017, and that's when  
19 the Women's Center became part of -- there was no actual  
20 Khatiba before.

21 THE COURT: In any case, though, you have admitted  
22 that suicide vests were something that was discussed.

23 THE DEFENDANT: Yes, it was.

24 THE COURT: All right. And suicide vests cannot  
25 possibly be considered a type of self-defense. They are an

1       offensive weapon used by terrorists to create havoc.

2                  In any case, the issue in a case of this sort is  
3       the appropriate sentence. There's no question that you were  
4       providing material support to a terrorist organization, that  
5       you knew you were assisting ISIS, and I think there is no  
6       question as well that you've not cooperated with the United  
7       States. These examples you gave of other women who may have  
8       returned and who perhaps have not been sentenced, I think  
9       one of the other differences is, most likely, they've been  
10      cooperating, and you have not, according to what the  
11      Government has said.

12                 I don't find any tremendously mitigating  
13       circumstances in your case. And, quite frankly, in terms of  
14       the argument about the precedent this might set, as I said  
15       at the very beginning, the guidelines in this case are 360  
16       to life. The Government chose to work with you all on a  
17       plea bargain that exposes you to a maximum of 240 months,  
18       basically cutting off the potential for a life sentence, and  
19       actually giving you a sentence significantly lower than what  
20       you otherwise could easily have been facing.

21                 And so I am satisfied that a sentence of  
22       240 months is sufficient but not greater than necessary to  
23       achieve the purposes of Section 3553(a) of Title 18 of the  
24       United States code. I'm not at all satisfied, frankly, that  
25       this would be a case in which the two levels for acceptance

1 of responsibility should even have been given, because I  
2 don't really find that your allocution today was credible  
3 based upon everything else that's in this record, as well as  
4 what I think were your admissions during this statement of  
5 facts.

6 Now, I'm going to also find that the amount of  
7 credit you should get would begin on January 28 of 2022,  
8 that that's -- that is the appropriate time. You either  
9 turned yourself in or were arrested by foreign forces.  
10 Nobody has given me any direct evidence one way or the  
11 other. The Government disputes your argument, and I'm not  
12 making a finding one way or the other. But the only  
13 evidence I have that's solid that the U.S. Government  
14 actually at some point got involved such that you were being  
15 held under U.S. authority, so to speak, would be the  
16 January 28, 2022 date. So that's the date the sentence --  
17 for which credit will be given on this sentence.

18 I'm not going to make a recommendation as to a  
19 designation. I think, given the sensitivity of this case  
20 and the potential need for maybe some mental health  
21 treatment, that's up to the Bureau of Prisons to make the  
22 designation. So I will not include a recommendation, other  
23 than the Bureau of Prisons should take into consideration  
24 any mental health needs that the defendant may have. Other  
25 than that, it will be up to them to decide.

1                   The sentence of 240 months in the custody of the  
2 Bureau of Prisons will be followed by a period of 25 years  
3 of supervised release. And the terms and conditions of  
4 supervision are, first of all, spelled out on pages 33  
5 through 36 of the presentence report, which I assume you  
6 read; yes?

7                   THE DEFENDANT: Yes.

8                   THE COURT: All right. And, Mr. King, you went  
9 over those with your client as well?

10                  MR. KING: Yes, Your Honor.

11                  THE COURT: All right. So all those conditions  
12 will apply. And, in particular, you obviously cannot  
13 violate any federal, state or local laws while on  
14 supervision; do you understand that?

15                  THE DEFENDANT: I do.

16                  THE COURT: And you must follow all the conditions  
17 of supervision that will be printed on the judgment order;  
18 do you understand that?

19                  THE DEFENDANT: I do.

20                  THE COURT: Now, among those conditions, Number 1  
21 will be that you must participate in a program approved by  
22 the United States Probation Office for mental health  
23 treatment. You will have to fully comply with any  
24 directions that the mental health people provide, such as  
25 therapy, medication, in or outpatient treatment; do you

1 understand that?

2 THE DEFENDANT: I understand.

3 THE COURT: All right. You will have to waive any  
4 privacy rights that you have to the mental health evaluation  
5 and treatment so the probation officer can monitor your  
6 compliance and progress. And because of your financial  
7 situation, any and all fees for evaluation or treatment will  
8 be waived; do you understand that?

9 THE DEFENDANT: I do.

10 THE COURT: Secondly, you must comply with the  
11 requirements of the computer monitoring program that's  
12 administered by the probation office. And you will have to  
13 consent to the installation of computer monitoring software  
14 on any computer or Internet-capable device to which you have  
15 access. And the installation will be performed by a  
16 probation officer, and it may restrict or record any and all  
17 activity on the computer, including the capture of key  
18 strokes, application information, Internet use history,  
19 email correspondence and chat conversations; do you  
20 understand that?

21 THE DEFENDANT: I do.

22 THE COURT: There will be a notice placed on the  
23 computer at the time of installation to warn others of the  
24 existence of the monitoring software, and you shall notify  
25 all others of the existence of the monitoring software. You

1 will not be permitted to remove, tamper with, reverse  
2 engineer, or, in any way, circumvent the software. And the  
3 costs of that monitoring will be paid by you, to the extent  
4 you are able; do you understand that?

5 THE DEFENDANT: I do.

6 THE COURT: You will also have to submit to a  
7 search of your person, property, house, residence, vehicle,  
8 papers, computer or other electronic communications or data  
9 storage devices or media at any time by any law enforcement  
10 officer or probation officer with reasonable suspicion  
11 concerning any unlawful conduct or violation of any of the  
12 conditions of supervision upon prior notification to and  
13 approval by the Court or with a warrant; do you understand  
14 that?

15 THE DEFENDANT: I do.

16 THE COURT: Your written communications online  
17 must be conducted in the English language unless you have  
18 received permission from your supervising officer to  
19 communicate in any other language; do you understand that?

20 THE DEFENDANT: I do.

21 THE COURT: You are not permitted to communicate  
22 or otherwise interact, and that includes in-person, through  
23 a third-party, by telephone or mail, electronic or  
24 otherwise, or through social media websites and  
25 applications, with any individual known to be associated

1 with an extremist organization, including, but not limited  
2 to, the Islamic State of Iraq and al-Sham, which is ISIS; do  
3 you understand that?

4 THE DEFENDANT: I do.

5 THE COURT: All right. You shall not promote or  
6 disseminate any terrorist views; do you understand that?

7 THE DEFENDANT: I do.

8 THE COURT: And you must provide access to any and  
9 all of your financial information to the probation officer  
10 at the officer's request; do you understand that?

11 THE DEFENDANT: I do.

12 THE COURT: All right. The Court finds that you  
13 are financially unable to afford the costs of any of the  
14 statutory fines, any costs of supervision other than what  
15 I've indicated, or any costs of incarceration. But the  
16 mandatory \$100 special assessment must be paid; do you  
17 understand that?

18 THE DEFENDANT: I do.

19 THE COURT: And my understanding is there's no  
20 request for restitution, and there's no issue of forfeiture  
21 in this case; is that correct?

22 MR. PAREKH: That's correct, Your Honor. I did  
23 check with the victims.

24 And just to correct the public record, what the  
25 defendant stated, as Your Honor noted, was not credible, and

1       she neglected to tell you --

2                    MR. KING: Your Honor, I believe the Court's made  
3       its --

4                    THE COURT: Mr. King, just a second.

5                    MR. PAREKH: I've waited patiently until she was  
6       finished.

7                    What she stated about there being other women who  
8       assisted her that are now in the United States and weren't  
9       charged, those women were minors, they were extremely young  
10      at the time. She admitted in the statement of facts, some  
11      were as young as 10 or 11 years old. So, no, we didn't  
12      charge a 10-year-old.

13                  But anyone else, as I've noted repeatedly in  
14      pleadings, who were co-conspirators, were adult women. That  
15      may or may not be the case in the future. I'm not going to  
16      speak as to any ongoing investigation. But I don't want the  
17      public record to stand on her statement that these other  
18      women who assisted her weren't charged, because they were  
19      extremely young at the time; and other women, that may not  
20      be the case.

21                  THE COURT: Again, I'm announcing the sentence at  
22      this point.

23                  MR. PAREKH: Yes, Your Honor.

24                  THE COURT: Are there any other conditions of  
25      supervision the Government is requesting?

1                   MR. PAREKH: Yes, Your Honor. The defendant's  
2 United States-based family members, namely her two children  
3 in the courtroom, her mother, her father, her stepmother,  
4 her brother, and her first husband would like there to be no  
5 contact. And we've already seen her husband -- her current  
6 online husband went to Kansas to try to look for Leyla.  
7 We've taken certain security measures, and we want to make  
8 sure that never happens again.

9                   So we would ask Your Honor also to make sure the  
10 defendant does not reach out to them whether -- within jail,  
11 I believe they can -- if we provide them the phone numbers,  
12 they can put it into their system so she can't use her PIN  
13 code to reach out to them. That she cannot have any third  
14 parties, such as her online husband, reach out to them. And  
15 then when she gets out of prison after 20 years, that she  
16 not be permitted to contact them.

17                  THE COURT: I think that's a reasonable request.

18                  Obviously, if, for some reason, your son or  
19 daughter changes their mind and wants to contact you,  
20 they're free to do that, but you cannot reach out to them  
21 yourself, nor anybody on your behalf that you've directed to  
22 do so; do you understand that?

23                  THE DEFENDANT: I do.

24                  THE COURT: All right.

25                  MR. PAREKH: And, Your Honor, I have a list of

1 those individuals I can pass up.

2 THE COURT: It will help my -- yes.

3 MR. PAREKH: Thank you, Your Honor.

4 THE COURT: Is there anything else you wanted  
5 added to the conditions of supervision?

6 MR. PAREKH: No, Your Honor.

7 THE COURT: All right. Mr. King, was there  
8 anything else you wanted the Court to address in terms of  
9 the sentence?

10 MR. KING: No, Your Honor. Well, one thing, Your  
11 Honor.

12 I wanted to be sure --

13 THE COURT: All right. The defendant should have  
14 a seat.

15 MR. KING: Your Honor, I just want to be clear of  
16 the Court's order. The way I understood it, she's not going  
17 to receive credit for being in foreign custody in Turkey?

18 THE COURT: She starts --

19 MR. KING: -- or in Syria?

20 THE COURT: Not in Syria; in Turkey. She starts  
21 to get it as of January 28 of 2022.

22 MR. KING: All right. Thank you, Your Honor.

23 That was the only -- I just wanted to make sure I understood  
24 that, and I understood it correctly.

25 I have nothing further, Your Honor.

1 THE COURT: All right.

2 MR. PAREKH: And, Your Honor --

3 THE COURT: Yes.

4 MR. PAREKH: -- I know she has a waiver of appeal,  
5 but --

6 THE COURT: I'm going to go through that.

7 MR. PAREKH: Yes, Your Honor.

8 THE COURT: All right. Ms. Fluke-Ekren, I want to  
9 tell you, under your plea agreement, you waived your right  
10 to appeal your sentence. And even though you did that --  
11 and your conviction, for that matter. Even though you did  
12 that, I'm advising you that you still have a right to file a  
13 notice of appeal of either your conviction or your sentence.  
14 If you plan to do so, it must be noticed within 14 days of  
15 today's date. You have the right to be represented by  
16 counsel.

17 Mr. King, you'll need to explain to your client  
18 the uphill battle she would have because of the nature of  
19 the law of waiver. Nevertheless, if your client wants to  
20 appeal, it's your obligation to file the notice of appeal.

21 You have a right to be represented by counsel at  
22 the appeal. If you cannot afford an attorney, one will be  
23 appointed for you. Whether it would be your same counsel or  
24 others, that's down the road.

25 Mr. King, do you understand that?

1 MR. KING: I do, Your Honor.

2 THE COURT: All right. Make sure you have that  
3 conversation with your client.

4 MR. KING: I will, Your Honor.

5 THE COURT: Anything further for this case?

6 MR. PAREKH: No, Your Honor.

7 THE COURT: All right. We'll recess court for the  
8 day.

9 (Proceedings adjourned at 2:24 p.m.)

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11 I certify that the foregoing is a true and accurate  
12 transcription of my stenographic notes.

13 Stephanie Austin

14 Stephanie M. Austin, RPR, CRR

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